

BRISTOL CITY CORE STRATEGY EXAMINATION

Inspector's Final Main Issues for Examination, Comments and Questions

On a number of matters I express a preliminary view where I have concerns. This is intended to assist the Council in focussing its response to my questions and to encourage the Council to include in its response possible changes to the wording of the Core Strategy which can be discussed at the hearings. I would consider making changes only if I eventually conclude that a particular part of the Core Strategy is unsound.

Participants should note that I sent to the Council various preliminary questions (PQs) and comments (16 April) which concerned mainly housing provision and economic development. The Council's response is important background information for a number of the matters discussed below. These 2 documents are on the Examination page of the Council's website.

Monday 21st June (start 13.30)

Compliance with Statutory and Regulatory matters

(Whilst the following are important questions, I do not expect the Council to prepare a lengthy response, provided the Council can refer to specific documents already submitted which provide the answers.)

- a) Has the Core Strategy been prepared in accordance with the Local Development Scheme (LDS) and have the relevant details in the LDS been met in respect of the role, rationale and scope of the CS? The LDS at submission is dated March 2007. Progression of the Core Strategy is at least 18 months behind the programme outlined in that document. What are the implications for compliance? When will an updated LDS be published? Has a revised timetable been agreed with the Government Office?
- b) Has the CS been prepared in compliance with the Statement of Community Involvement (SCI)?
- c) Has the CS had regard to the intentions of the Community Strategy?
- d) Has the DPD been subject to sustainability appraisal (SA)? Does the SA show how different options perform and is it clear that sustainability considerations informed the content of the CS from the start? (Overview only)
- e) Does the CS comply with the 2004 Regulations (as amended) in relation to the publication of documents, advertising and notification?
- f) Is there confirmation from the Regional Planning Body about the general conformity of the Core Strategy with the RSS? The Council's *Statement of Representations Received* March 2010 (CDE36) contains 2 letters from the Regional Planning Body (30 November 2009 and 15 January 2010). Do these amount to confirmation of general conformity?
- g) Have the requirements of the Habitat Regulations been satisfied? Has Natural England accepted the *Habitat Regulation Assessment* March 2010 (CDE38) as fit for purpose. (Please copy relevant correspondence.)

Issue 1 Is there an appropriate spatial vision, based on the characteristics of the area and issues and challenges facing it, and objectives to deliver the vision focussed on the key issues?

1.1 This issue is intended as an overview of this section of the Core Strategy to explore any major omissions, inconsistencies (both within this section and between objectives and the rest of the document) and clarity. A number of

representations seek changes to this part of the plan in parallel to changes to particular policies. The main focus of discussion for such changes should be the main issue most related to the policy change rather than the objectives. I recognise that if there is a significant change to a policy then aspects of the vision and/or objectives may need to be changed as a consequence.

1.2 Is there a clear, succinct summary of all the major issues facing the City which have a bearing on spatial planning? Have any major issues been ignored?

1.3 Should there be any reference to the report *Building a Positive Future for Bristol after Peak Oil* (2009) and its implications?

1.4 Are the distinct characteristics of different parts of the City appropriately highlighted?

1.5 Is there a meaningful spatial vision to guide the rest of the Core Strategy?

1.6 Is there consistency and coherence between different parts of the vision and the vision and the rest of the plan? I highlight:

- *Our city in 2026* refers to "improving the role of waterways" – is this directly addressed by any policies or proposals?
- *Our city in 2026* refers to protecting the Green Belt and the vision for *green infrastructure* refers to maintaining the Green Belt. Are these statements consistent with the contingency for an urban extension in the Green Belt in policy BCS5? (This question relates only to the internal consistency of the document as written, not to whether there should be any different policy for urban extensions and the Green Belt, which will be discussed under issue 2.)
- Should rail be listed under the vision for *a city of sustainable travel* as it is in the list of sustainable transport in *Our City in 2026*?

Tuesday 22nd

Issue 2 Is there an adequate spatial strategy for the delivery of housing having regard to the emerging RSS, local needs and constraints and the requirements of PPS3?

The overall scale of housing and the relationship to the published RSS Proposed Changes.

2.1 PPS3 (paragraph 53) indicates that where the RSS is under review, local planning authorities should have regard to the level of provision in the emerging RSS. Has the Core Strategy had appropriate regard to the emerging RSS Proposed Changes?

2.2 Core Strategies should have some flexibility to respond to changing circumstances (PPS12 paragraphs 4.14 - 4.15). In principle (setting aside the specific components of the contingency), is a contingency approach to accommodating more than 30,000 homes by 2026 a sound approach to flexibility in present circumstances?

2.3 Would the Core Strategy enable the delivery of the level of housing that is specified in the RSS if the latter is approved in its current form with a total requirement of 36,500 for Bristol City? Does appropriate flexibility and regard for the emerging RSS mean that it should be able to do so? (I expressed a preliminary view on this which is contested by the Council so I wish to debate the matter.)

2.4 Two of the 3 suggested contingences in BCS5 are presented as relevant only after 2021, as if any potential housing supply issue would primarily occur later in the plan period. However, if the RSS were to be confirmed with a requirement up to 36,500 that would increase the residual annual requirement throughout the remaining plan period and would need to be immediately taken into account in assessing the 5 year supply. Would not the contingences need to become effective earlier? Does the text of the Core Strategy reflect this adequately?

2.5 Are the contingency triggers in Table 5.1 clear as to the circumstances in which contingencies would arise? The trigger for release of Green Belt land states *assess at major review of Core Strategy*. I do not understand whether this means that this element of the contingency could not be initiated without a review of the Core Strategy. A need to review a Core Strategy does not demonstrate that it has flexibility.

2.6 Given all the above, the statement in paragraph 4.5.15 that an urban extension is not expected to be subject to consideration until at least 2021 seems inaccurate. If the RSS Proposed Changes were to be approved should the south east Green Belt contingency still be regarded as a *long term* contingency?

2.7 The Proposed Changes to the RSS (policy HMA1) indicate a contribution of 3,000 dwellings within Bristol City from 2 areas of search for urban extensions. To what extent does the Core Strategy need to reflect this spatial steer if it were able to demonstrate (if needed) that 36,500 dwellings could be delivered from other sources of supply within the City?

The robustness of components of supply for the minimum 30,000 dwellings proposed in policy BCS5 (commitments, SHLAA sites, green space assumptions).

2.8 The Council's 5 year Housing Land Supply assessment (CDE9) concludes that all sites currently with planning permission, but not started, will be developed at some point and ascribes 9,126 out of a total of 12,387 dwellings to the first 5 year period. The Council's response to my PQs at p26/27 indicate that all sites with planning permission are regarded as *deliverable* (as defined in PPS3 paragraph 54) except those few sites (amounting to 155 dwellings in total) that developers indicated were unlikely to be developed, but which the Council allocate to the next 5 year period.

2.9 How/on what information did the Council assess whether there were any obvious constraints to development for sites with planning permission? Did the conclusion that there were no obvious constraints include consideration of the viability of development in the context of existing land uses? Is there any evidence to indicate that the Council's approach/assessment is significantly wrong?

2.10 Is it reasonable to still include the 155 dwellings on sites that developers indicated were unlikely to be developed as *developable* sites after the first 5 year period?

SHLAA

2.11 Inspector's preliminary comment: Whilst always needing to be robust, I do not expect a SHLAA to have to embed undue precision or certainty about future sites. However, where a SHLAA indicates that there may be little or no headroom in delivering the minimum provision proposed, it will be important for the SHLAA to be scrutinised carefully.

2.12 Are the density assumptions used in the SHLAA (CDE8) and shown on the diagram (p5) realistic? The SHLAA assumes a suburban density of 65 dwellings per hectare (dph). How is this consistent with the Core Strategy's density policy BCS20 which indicates that a minimum indicative density of 50 dph will be sought? (See my questions under Issue 8 concerning the interpretation of that policy.) Is there a danger that the SHLAA overestimates likely deliverable capacity of some sites?

2.13 Has the capacity of major/complex or mixed use sites (eg SH0035 Central Fire Station, SH0033 St Phillips) been based on any preliminary design study which also accommodates other types of uses?

2.14 Why did the SHLAA exclude the Green Belt (SHLAA paragraph 9.1) given that the emerging RSS as consistently indicated that some development in the Green Belt would be required?

2.15 After the initial sift of sites for the constraints listed in paragraph in 9.1 of the SHLAA were any sites excluded from Annex B because of the problems arising from the considerations listed in paragraph 9.2-9.5? Was deliverability/developability and potential constraints discussed with landowners/developers of the individual sites and does the Annex reflect their input?

2.16 SHLAA Annex B identifies 4 sites as *Review underway (February 2010)*. The Council has explained (response to my PQs, p24) that these sites concern the potential redevelopment of Precast Concrete Dwellings. Is the review complete and does the uncertainty highlighted mean that the SHLAA is unduly optimistic of the principle or the scale of new dwellings here?

2.17 The SHLAA envisages a contribution of 1,100 in 2021-26 from the release of some poorer quality open space. (See Council's response to my PQs for background). It appears that individual sites were assessed, but no information has yet been put in the public domain. This makes it difficult to assess whether the expected contribution is realistic. Will the Area Green Space Plans (AGSP) due for public consultation from June 2010 indicate specific sites that might be released? If so, could the AGSPs due for consultation be included as part of the Council's response on this issue. In the absence of any specific evidence from the AGSPs, is there any other evidence to demonstrate that the assumed contribution from this source is reasonable?

2.18 Flood risk and SHLAA sites is considered on Wednesday morning.

*Components of the proposed contingency
Small sites/subdivision*

2.19 Important information on how this contingency as been calculated is set out in the Council's response to my PQs (pp12-13). Looking at this explanation, I do not understand how the figures add up to the 4,500 referred to in paragraph 4.5.13 of the Core Strategy. Subdivisions are assessed on the basis of 100 a year, but the first 5 years are said to have been precluded to avoid double counting with permissions. Five years from when? Should not the contribution of 200 dwelling per year from small sites also avoid double counting existing permissions in the same way, although this is not mentioned? Please explain carefully how 4,500 is derived.

2.20 Setting aside whether any contribution from small site/subdivisions should be included in supply for any period of the Core Strategy (discussed below), do

other participants consider that the Council's assessment of the annual contribution from these sources is reasonable?

2.21 The Core Strategy states (4.5.13) that this source would not be relied on until 2021 and Table 5.1 states that they cannot be relied on till then to comply with PPS3. In my experience, acceptance by a Council that windfalls (eg identified small sites/subdivisions) should not be counted as part of the supply for the first 10 years means that such windfalls are counted as part of the supply only on an annual (not an accumulated basis) forwards from 2021. I recognise that permissions actually granted from these sources will be counted as part of the supply through the Annual Monitoring Report, but I do not understand the Council's approach. If the RSS were to be approved with a housing requirement of 36,500 how would the Council be able to demonstrate a delivery trajectory or 5 year supply without counting small site windfalls during the first 10 years?

2.22 PSS3 does not of course exclude consideration of windfalls entirely within the first 10 years but requires (paragraph 59) robust evidence of genuine local circumstances that prevent specific sites being identified. Is there such evidence?

Mixed Use development of some industrial and warehousing land

2.23 I have set out similar questions on this topic both here and under Issue 3 and the Council's response can be the same. The discussion at this hearing and any responses from participants should focus on soundness in relation to housing supply, whereas under issue 3 responses and discussion should focus on soundness in relation to economic development.

2.24 This is the 2nd contingency in BCS5. Paragraph 4.5.14 of the Core Strategy indicates a potential contribution of 1,700 homes from the use of some *primarily* industrial and warehousing land. The Council's response to my PQs (p15) indicates that the sentence in 4.5.14 should read *use of some Principal and Industrial Warehousing Areas*. The Council highlights this as correcting a typographic error, but is this a potentially significant change?

2.25 Given that PIWAs accommodate (or are intended to be able to accommodate) B2 and B8 uses which may well not be compatible with residential amenity, I do not understand how mixed use redevelopment is likely to be achieved on many sites. Would delivery of this contingency largely result in the loss of land from industry/warehousing to residential? What is the likely scale of industrial and employment land that would be lost if this contingency were to be implemented?

2.26 Paragraph 4.5.14 says that there would *be clear implications for the economic objectives of the Core Strategy*. What are they and where is any assessment set out? How has the Council taken into account those implications in the context of the overall recommendations of the Employment Land Study and the policy response to those recommendations in the Core Strategy?

2.27 The Employment Land Study considered that nearly all PIWA were reasonably suitable for continued business use and justified policy protection. I do not understand how the 2nd and 3rd criteria listed in the Core Strategy for identifying such sites would be effective as such matters were largely taken in to account when concluding that most PIWAs are fit for purpose. Please explain.

2.28 Was a contribution to this source of supply from employment land outside PIWAs considered and, if so, why was it rejected or not specifically included in the contingency (assuming that the Council intended 4.5.14 to refer only PIWAs)? Would such sites come within the scope of the wording in policy BCS5?

2.29 Implementation of this contingency appears to cut across the protection of PIWAs and valuable non-designated employment land set out in policy BCS8. Does this introduce a tension or conflict which would make delivery more difficult and, if so, how should it be resolved?

2.30 The 3rd contingency is urban extensions in the Green Belt which is considered on Wednesday.

Broad locations

2.31 PPS 3 (paragraph 55) indicates that where it is not possible to identify specific sites for years 11-15 *broad locations* for future growth should be indicated. An urban extension is one such broad location. If otherwise sound, would a contribution from PIWAs (to be individually allocated in a subsequent DPD) be equivalent to another broad location?

2.32 Does the advice in PPS3 indicate that such broad locations be given a greater preference/priority or make a greater contribution to supply compared with any contribution from windfalls? Have any other potential broad locations been ignored? (I expressed a preliminary view on this matter, which is contested by the Council, so I wish to debate the matter.)

Wednesday 23rd

There will be a series of sessions on each of the following areas/topics:

Flood risk, the sequential and exception test and housing sites

2.33 In my Preliminary Questions, I indicated that the PPS25 sequential test was a matter for the Core Strategy and invited the Council to prepare a Position Paper on flood risk. This has been done (CDE 64). The paper covers both housing and development at Avonmouth.

2.34 My preliminary view is that the Core Strategy should explain and demonstrate how the Council has applied the sequential test and make clear what would need to be done for sites in particular locations to pass the exception test. I invite the Council to put forward possible changes to the text of the Core Strategy consistent with its explanation in the Position Paper. This may help me better understand the Council's explanation.

2.35 PPS25 makes clear that SFRAs should take into account the effect of climate change. In my view, the nature and extent of flood risk in that scenario should be the basis on which the sequential and exception tests are applied. The Council's Position Paper (eg 3.11) discusses the extent of flood zones based on present risk as well as discussing risk with climate change. This leads to a confusing picture. I am unclear on what basis SHLAA sites were assessed (3.2-3.4). Council to clarify.

2.36 Do other parties consider that the sequential test is met in relation to the city centre? Paragraph 3.13 of the Position Paper contemplates applying the sequential test within the city centre boundary of the AAP. In my view, that should not set aside or obscure applying the test across the city at the Core Strategy stage. But given that the SHLAA identifies just sufficient housing to meet the Council's minimum provision of 30,000 dwellings, I cannot see how the Council would have any real opportunity to apply the sequential test when making allocations. All potential sites seem to be needed with little or no choice

available. Please explain the scope to actually apply the sequential test at allocation stage.

2.37 The Position Paper (p5) states that strategic flood risk mitigation measures will enable the risk of flooding to be reduced. What does the Council mean here (given that the identification of flood risk zones should ignore the presence of defences - PPS25 D2)? It also indicates that work to assess the scope, cost, feasibility and delivery of such measures has been commissioned. Does this mean that there is considerable uncertainty as to whether such measures would be able to be put in place at the right time? Would the absence of such measures put a big question mark over meeting the exception test (especially that a development would be safe) in those parts of the city centre which will be in flood zone 3 in the future?

2.38 What SHLAA sites in the city centre (and their total estimated housing capacity) would be required to pass the exception test based on climate change flood zones?

2.39 Although flood mitigation measures are identified as essential in the Infrastructure Delivery Programme (IDP) (CDE27 p19) there is no detail. More fundamentally, there is no clear identification of this essential package of infrastructure in relation to policies BCS2 or BCS16 in the Core Strategy. But mere mention in general terms in the Core Strategy would do little to advance delivery. I am concerned that there may be a lack of justification and/or effectiveness here, but do not know how significant this might be for the overall strategy until discussion on the above questions.

South Bristol

2.40 I asked the Council to prepare a Position Paper to help me understand delivery in South Bristol. This has been done (CDE65). Whilst this covers useful ground, I have found it difficult to fully understand given: the absence of any plans showing the extent of the different areas; any cross referencing of the named locations and projects to the SHLAA sites; and a lack of clarity between public investment needed for preliminary work eg masterplanning and sites which require substantial public funding for building the houses. I invite the Council to supplement the paper with this additional information. It would be helpful to know which sites/areas are owned by the Council and which by other public sector agencies such as the HCA (if any).

2.41 Why was the 2005 Hengrove Masterplan not implemented, particularly in relation to housing development (paragraph 4.2)?

2.42 I do not understand what the last sentence of paragraph 4.4 means in practice.

2.43 In Hengrove Phase 2, are the 1,200 homes referred to in 4.6 to be delivered by the private sector? If so, what is the purpose of the lengthy design and masterplanning process? Amplification of the Council's role would be helpful.

2.44 Paragraph 4.10 refers to the delivery of around 2,245 homes. Is this the net increase? Are some homes being demolished? Similarly, are the capacity figures in the SHLAA for sites such as Inns Court the net gain over and above demolition? Of the schemes listed in paragraph 4.11, which would be built by the private sector and which would be built from public funds in addition to the £78m mentioned?

2.45 What is the intended relationship between the Knowle West Regeneration Framework and the Site Allocations DPD? What is the intended status of the Regeneration Framework. When is it likely to be approved/published?

City Centre and Rest of City

2.46 Council to provide a copy of the *Lockleaze Vision* document and its intended status. How does this document relate to the Site Allocations DPD?

2.47 I have no further questions at present about housing delivery not already covered above.

Urban Extensions and the Green Belt

2.48 I raised a number of questions about urban extensions in my Preliminary Questions and have taken account of the Council's response (pp17-22). I recognise that I should not assume from the RSS that urban extensions will necessarily straddle the administrative boundaries. I have seen 3 assessments prepared by the Council for the housing potential of the Green Belt within the Bristol City boundary: *Capacity Appraisal for Sites in the South West of Bristol* February 2010 (CDE28); *Capacity Appraisal Studies Proposed Urban Extensions SE and SW of Bristol* January 2007 (CDE53), and Appendix 3 of the Council's responses to my PQs (which covers land not reviewed in the previous studies).

2.49 The first 2 studies assessed similar sites in the south west, but the presentation means that it is not easy to compare the results quickly. Could the Council please prepare a simple table showing the name and size of parcels of land in similar locations that were not ruled out completely in either study.

South West Bristol

2.50 The Council's assessment in 2007 identified potential capacity (albeit with constraints) for 1094 dwellings (CDE 53 p19) from a number of small sites on the edge of the City. Is the assumption of an average density of 65dph for calculating capacity here realistic and deliverable?

2.51 The more recent study (CDE28 p22) identifies a range of between 445 and 578 dwellings (depending on density). The main reason for the reduction is the different conclusion as to the suitability of the northern part of the Silbury Road/Ashton fields site which, in any case, is where the Council has agreed to grant planning permission for a football stadium.

2.52 Does any party consider that Green Belt land within south west Bristol City has a potential capacity significantly greater than that identified in the Council's most recent work? If so, please explain why. Does any party consider that potential capacity should be much lower?

2.53 Can any party explain on what basis the emerging RSS has consistently indicated a contribution of 1,500 dwellings from the Green Belt in south west Bristol City? I have seen no evidence as to how this might be achieved.

2.54 Do any of the separate parcels of land not completely ruled out in the Council's most recent assessment have any credibility as small independent additions to the urban edge if there was no larger urban extension to the south west?

2.55 Various spatial options for a South West Urban Extension are included in the North Somerset *Core Strategy Consultation Draft* November 2009. That

Council is opposed to any such development, but would progress such a proposal if confirmed in the RSS. Some options involve no need for land within Bristol City (apart from the south Bristol link road), and some options would develop some of the small sites identified with (constrained) potential in the Council's studies.

2.56 Is a reasonable approach to the South West Urban Extension to recognise that if confirmed in the RSS, the lead authority/document would be the North Somerset Core Strategy for establishing the best form of an urban extension and how it might best relate to the urban edge of Bristol? Whether such an urban extension was to be closely physically integrated or more distinct would provide the rationale for the treatment of the intervening land within Bristol City. For some possible layouts, open space rather than built development would be most appropriate. Is that a fair assessment? If so does paragraph 4.6.6 of the Core Strategy explain the position adequately?

2.57 Should policy BCS5 recognise as a contingency that 4-500 dwellings might be developed in the City's south western Green Belt depending on the form of any urban extension advanced in North Somerset and optimising the pattern of development?

2.58 What would be the wider implications of a large urban extension to the south west of Bristol? Has the Council assessed the impact on infrastructure, such as the operation of the South Bristol Link? Are there any implications for social infrastructure within South Bristol? If the Bristol Core Strategy assumes/relies on any major urban extension being self contained should it say so? Are there any potential positive linkages between the 2 areas that should be highlighted? Is the wording of policy BCS6 and paragraph 4.6.6 adequate in relation to cross border development?

South East Bristol

2.59 On what evidence/assessment does the Core Strategy envisage that capacity of an urban extension to the south east within Bristol City could be 1,500 (paragraph 4.5.15 says: *is unlikely to exceed 1,500*)? If the Core Strategy is simply reflecting what is said in the RSS Proposed Changes, on what evidence of capacity was that based?

2.60 The Council's assessment in 2007 (CDE53) gives a potential capacity of only 761 dwellings. (NB There appears to be a presentational error in the table on p8 since the net site area used for site 1 was only 11.72ha - as explained in the footnote and not 16.29ha as shown in the table. Is this correct?). Is the assumption of an average density of 65dph for calculating capacity here realistic and deliverable?

2.61 What further assessment was made to inform the 2 options for development here in the Preferred Options Review February 2009 (p18)?

2.62 Does the delivery of up to 1,500 dwellings here assume the relocation of existing uses? If so, are there likely to be suitable sites for these to move to?

2.63 My understanding is that the identified contingency of an urban extension to the south east is not dependent on whether Bath and North East Somerset Council (BANES) take forward a large urban extension within its administrative area? Is that correct? Whilst BANES is opposed to the principle of any such urban extension, the possibility cannot be ruled out until there is a decision on the RSS and the BANES Core Strategy has been found sound. If BANES were to

progress an urban extension in this location, would that change the Council's approach to the optimum form of development within the City boundary?

2.64 The RSS area of search extends to other areas adjoining the city boundary. Does the Core Strategy adequately address current uncertainties and possible varied outcomes from this area of search in terms of what the City Council would want to achieve and the implications of possible major development on its borders? Is the wording of policy BCS6 adequate in relation to cross border development?

2.65 Policy BCS6 does not acknowledge the possibility of the contingency proposal for development in the Green Belt in BCS5. Does this create a tension or conflict between the wording of the policies? If so, how should this be resolved? Paragraph 4.6.3 of the Core Strategy does not accurately reflect the wording of the RSS which clearly proposes housing within Bristol City's Green Belt not just beyond it. A minor change could correct this wording.

Thursday 24th

Issue 3 Is adequate provision made to support economic development having regard to the emerging RSS, local evidence and the overall strategy (to include consideration of development at Avonmouth).

Overview of evidence base

3.1 Inspector's preliminary comments: Economic/employment projections and conclusions drawn from them are sensitive to the assumptions made and inevitably encompass considerable uncertainty. Accordingly, undue precision is inappropriate and I intend to take a broad-brush approach to considerations of future employment needs whilst recognising that because of uncertainties it will be important for the Core Strategy to embody flexibility – an ability to respond to changing circumstances on this topic (as with others).

3.2 The Industrial Agents Society (IAS) (ref 1780) regards the Employment Land Study (ELS) CDE15 as fundamentally out of date and flawed, particularly in relation to industrial and employment land (and others draw on or repeat this view). I recognise much of the data on which the ELS was based is at least 4 years old, but that does not necessarily mean that the study is no longer useful to inform the decisions made in Core Strategy. Other than a disagreement as to whether or not there is a sufficient supply of land at Avonmouth, I have not been able to understand the reasons why the ELS is regarded by some as fundamentally flawed. (The way that the Council have responded to its recommendations is a separate matter.) My impression is that much of the market information embedded in the ELS from the Alder King market assessment already reflects many points made by the IAS. If representors want me to take into account previous points about the evidence base not explored below, they need to be explained carefully, including the practical consequences for the Core Strategy. The overall assessment of office demand and supply does not appear to be seriously challenged – if any participant disagrees, please highlight the relevant points from your original representation.

3.3 IAS (rep 1780 para 3.4) suggest that the 24.5ha of new land recommended in the ELS represents only 3 years demand for industrial and warehousing land based on average annual take up of 273, 276 sq m. I note that the ELS figure for annual take up is not much less (ELS paragraph 4.18). Are these annual take up figures total market activity (including the re-letting of existing premises) rather than the take up of new land?

3.4 The assessment of future employment needs is based on a 3.2% growth rate (ELS paragraph 4.56). Is this still realistic over the life of the Core Strategy given the intervening recession? If not, what are the implications for the recommendations made in the ELS? Is this also the growth figure used in the emerging RSS and reflected in the growth of jobs proposed in policy HMA1 of the Proposed Changes?

3.5 The ELS does not recommend any additional employment land at Avonmouth. In part, this is because of the perceived need to ensure a flexible supply of industrial and warehousing land in different parts of the City, the attraction of Avonmouth primarily for large format premises and a perceived difficulty with labour supply for more intensive activities (ELS paragraphs 6.7-6.12). I am unclear as to what explicit assessment/conclusion the ELS made in relation to the adequacy of land supply at Avonmouth to serve the large format premises which it refers to as an important part of demand here in recent years. What scale of land at Avonmouth did the ELS consider was available/suitable for this purpose and how did this compare with predicted demand? Extensive areas of warehousing were completed at Avonmouth in 2007/8-8/9 (as shown in the Business Development Report (2009) CDE14) post-dating the ELS. Does this scale of development challenge any assumptions in the ELS about the adequacy of supply here?

3.6 Does the market regard Avonmouth and Severnside in South Gloucestershire as a single location for large format industrial/warehousing developments? What assessment has been by South Gloucestershire Council of the market need/demand for large format premises in this location and available supply? (Would the Council please provide a copy of any Employment Land Review produced by South Gloucestershire Council and that Council's most recent Core Strategy publication.) Would treating these 2 areas as one for employment potential be consistent with the RSS?

3.7 The Council's response to my PQs strongly endorses the robustness of the ELS (pp 34-36). On what evidence and testing of alternatives has the Council decided that a substantial part of one of main recommendations of the ELS (a total of 24.5ha of new industrial and warehousing land in 2 locations outside Avonmouth) should be set aside and met from the redevelopment of PIWAs?

3.8 In terms of meeting market demand/needs for more industrial and warehousing space, are there significant differences in the economics of provision and the type/size of premises likely to arise from developments on new allocated industrial and warehousing land compared with redevelopment of existing PIWAs? Outside Avonmouth, on what evidence does the Council consider that the redevelopment of some PIWAs will result in additional (more than there was before) industrial and warehousing floorspace (as opposed to better quality floorspace of a similar or smaller size or office space). What is the Council's estimate of *additional* floorspace from this source and how has this been calculated?

3.9 The ELS recommends 24.5ha of new *land* for industrial and warehousing. The Council's response to my PQs notes (p31) that paragraph 4.8.15 should refer to redevelopment of existing PIWAs as contributing to new industrial and warehousing *floorspace* rather than *land*. Is the Council seeking the change suggested? (If so it should be included in the running schedule of minor changes).

The Core Strategy's proposals in policy BCS8

Offices

3.10 The policy proposes 236,000 sq m of net additional office floorspace and distributes this total in 3 parts across the City. The overall figure corresponds to the recommendation at paragraph 57 of the summary of the ELS. In my PQs, I asked whether the new office floorspace proposed was already met from existing commitments (the pipeline supply). The Council's response indicated that it was, especially from the supply in the city centre (response statement page 36 and appendix 9 at page 61). Table S1 of the ELS reveals that the 236,000 sq m of recommended future office space was based on a total potential floorspace requirement of 524,000 sq m from which the floorspace pipeline (at 2006) had been deducted. This pipeline included emerging office sites listed at paragraph 4.70. If this is the evidence on which the Core Strategy is based, only permissions since the base date of the ELS (and not double counting the emerging office sites/floorspace in paragraph 4.70) should be included in any pipeline supply in demonstrating the extent to which the office proposals in BCS9 are being met. In appendix 9, is the *pipeline April 2009*, the total pipeline supply or the supply from new permissions since the base date of the ELS? The Council needs to explain the position carefully as my understanding now is that the Council's response to my PQ was incorrect. Once I am clear as to the factual permission, I will explore whether policy BCS8 provides sufficient clarity to be delivered effectively.

3.11 In my PQs, I queried whether the 36,000 sq m of office space to be distributed amongst town, district and local centres meant only those centres outside South Bristol (since 50,000 sq m is specifically allocated for the whole of South Bristol). The Council's response (p36) suggests a change to indicate that the 36,000 sq m of provision includes centres in South Bristol and thus would contribute an additional element to the 50,000 sq m. Is the Council seeking the change suggested? If so it should be included in the schedule of significant possible changes. The table at Appendix 9 of the Council's response to my PQs is confusing. It suggests that office floorspace completed in 2006-9 in South Bristol excluding its centres was more than for South Bristol including the centres, which is illogical. Please explain or correct.

3.12 Following on from my uncertainty about commitments in 3.9 above, I am unclear the extent to which the distribution of additional new office floorspace in South Bristol is constrained by existing commitments and the proposals being advanced at Hengrove Park and through the Knowle West Regeneration Framework. What is the broad capacity for office development envisaged in these developments? (Participants should see the Council's Position Paper on South Bristol - CDE65.)

3.13 In my PQs, I asked whether BCS1 and BCS8 provide sufficient spatial steer in relation to office development in South Bristol. The Council's response (pp37/38) explains why it thinks it does and how the strategy is likely to be applied in practice. Are there any comments from others on this approach? I invite the Council to consider whether the spatial aspect of delivery could be more clearly explained (taking into account commitments) so that it is clearer what choices/decisions have yet to be made.

New industrial and employment land

3.14 Policies BCS8/BCS1 propose 5-10 ha of new industrial and employment land around the existing Nover's Hill and Vale Lane PIWA. The Council's response to my PQs indicates the Council's current thinking of how this might be achieved (see especially pp 65/66). The land which could be allocated for this purpose in this location is shown on the Proposals Map as a city-wide nature site and the

eastern land is a prominent green hillside protected by policy NE2. What assessment has the Council made of the proposals, firstly, in relation to potential impact and, secondly, in terms of potential suitability for the proposed use – bearing in mind that the ELS suggested only up to 5 ha in this location?

3.15 The proposals would appear to involve the setting aside of the existing designations, but this is not referred to under policy delivery. Nor does the Core Strategy elsewhere indicate that the extent of such designations are to be reviewed for any purpose. It is difficult to see how the requirement in the last part of policy BCS9 could be met whilst implementing the allocation at Nover's Hill. Is there a policy tension or inconsistency within the strategy? If so, it cannot be ignored and would make delivery via the Site Allocations DPD more difficult. I invite the Council to explain how it envisages any such difficulties being overcome.

3.16 All participants should note that I have not yet visited the above location, but will do so before the hearings. Furthermore, as the Core Strategy is not making site specific allocations, I need test only whether this *broad location* is likely to accommodate the scale of development proposed and I do not need to assess precise parcels of land or boundaries.

The contingency in BCS5 for the mixed use development of some industrial and warehousing land

3.17 I have set out similar questions on this topic here and under Issue 2 and the Council's response can be the same. The discussion at this hearing and any responses from participants should focus on soundness in relation to economic development, whereas under issue 2 responses and discussion should focus on soundness in relation to housing supply.

3.18 This is the 2nd contingency in BCS5. Paragraph 4.5.14 of the Core Strategy indicates a potential contribution of 1,700 homes from the use of some *primarily* industrial and warehousing land. The Council's response to my PQs (p15) indicates that the sentence in 4.5.14 should read *use of some Principal and Industrial Warehousing Areas*. The Council highlights this as correcting a typographic error, but is this a potentially significant change?

3.19 Given that PIWAs accommodate (or are intended to be able to accommodate) B2 and B8 uses which may well not be compatible with residential amenity, I do not understand how mixed use redevelopment is likely to be achieved on many sites. Would delivery of this contingency largely result in the loss of land from industry/warehousing to residential? What is the likely scale of industrial and employment land that would be lost if this contingency were to be implemented?

3.20 Paragraph 4.5.14 says that there would *be clear implications for the economic objectives of the Core Strategy*. What are they and where is any assessment set out? How has the Council taken into account those implications in the context of the overall recommendations of the Employment Land Study and the policy response to those recommendations in the Core Strategy.

3.21 The ELS considered that nearly all PIWA were reasonably suitable for continued business use and justified policy protection. I do not understand how the 2nd and 3rd criteria listed in the Core Strategy for identifying such sites would be effective as such matters were largely taken into account in concluding that most PIWAs were fit for purpose. Please explain.

3.22 Was a contribution to this source of supply from employment land outside PIWAs considered and, if so, why was it rejected or not specifically included in the contingency (assuming that the Council intended 4.5.14 to refer only PIWAs)? Would such sites come within the scope of the wording in policy BCS5?

3.23 Implementation of this contingency appears to cut across the protection of PIWAs and valuable non-designated employment land as set out in policy BCS8. Does this introduce a tension or conflict which would make delivery more difficult and, if so, how should it be resolved?

Avonmouth and Bristol Port policy BCS4

3.24 Inspector's preliminary comments: A number of participants seek a change to the Core Strategy which would allow the development of some greenfield land at Avonmouth. However, even if I were to be persuaded that there was an economic need for additional land in this location, this would not necessarily make the Core Strategy unsound given the constraints eg highway capacity and flood risk (even if existing evidence has shortcomings). The most critical constraint is the uncertainty highlighted in the Habitat Regulations Assessment (CDE38) as to the impact of planned development on the Severn Estuary Special Area of Conservation (SAC) and Special Protection Area (SPA) and the recommended mitigation of potential impacts from the better management of greenfield land to accommodate displaced species (Assessment Report section 4.20).

3.25 In the absence of an Appropriate Assessment which concluded that there would be no harm to the SAC/SPA, I cannot see how I could recommend any change of policy to allow greenfield development. The only other option if I were to find the policy unsound would be to delete it, allowing for further work through a subsequent DPD. But I would need to be satisfied not only of the need for additional development opportunities here, but that constraints had a realistic prospect of being overcome and that any uncertainty did not have implications for the rest of the spatial strategy. As well as discussing these matters, I want to be clear what the policy, as written, means in practice and whether it would be effective in delivering its stated aims.

3.26 Does policy BCS4 signal any change from existing policy operating at Avonmouth derived from the Local Plan? What difference, if any, does the policy seek to make compared with the basis on which present/past decisions have been made?

3.27 The policy states that the existing PIWAs will be retained. The policy delivery section indicates that the Site Allocations DPD will identify the PIWAs with reference to the Employment Land Study. Does this imply any review of PIWA? Is there any ambiguity between the 2 statements?

3.28 Is all the land covered by the existing PIWA designations brownfield land? Is there land at Avonmouth with existing planning permission for employment related development outside the PIWAs? Provided it would not be too time consuming for the Council, it would be helpful to have a plan (on an up to date base map) showing the extent of PIWAs at Avonmouth, recent warehousing developments, and the sites mentioned in the Council's response to my PQs both at Avonmouth and Severnside (pp32-34).

3.29 Policy BCS4 refers to development contributing to both strategic and local infrastructure necessary to service the development and support development at

Avonmouth. Is this meant to refer solely to contributions to infrastructure necessary to mitigate unacceptable impacts? If so, should this be clearly stated?

3.30 The potential difficulties of development at Avonmouth are highlighted (flood risk, highways and nature conservation), but no specific mitigation measures are set out. Does the Core Strategy go far enough in demonstrating how development will be accommodated (ie will the policy be effective)? How will mitigation measures be identified and delivery coordinated?

3.31 There would appear to be important cross border issues between development at Avonmouth and Severnside in South Gloucestershire. What joint working (in terms of outcomes) has been or is/will be undertaken to assess constraints and how they might be overcome? The emerging RSS (Proposed Changes paragraph 4.1.11)) indicates that the Avonmouth/Severnside area needs to be planned carefully and comprehensively. How is this to be achieved?.

3.32 In my Preliminary Questions, I indicated that the PPS25 sequential test was a matter for the Core Strategy and invited the Council to prepare a Position Paper on flood risk. This has been done (CDE 64). The paper covers both housing and development at Avonmouth.

3.33 Parties highlight deficiencies in the flood risk assessment undertaken for Avonmouth/Severnside in 2007 (CDE19). I am unclear as to what is perceived as the critical shortcoming of this study and the practical implication for assessing flood risk. Does the Council accept any need for a more up to date assessment? Turley Associates on behalf of St Modwen Developments refer to work being undertaken on this matter by Capita Symonds. On whose behalf is this being done, what is the output and when is it expected?

3.33 The Environment Agency's (EA) representations (0366) question the soundness of new allocations in this area. Does the EA mean new greenfield allocations or the policy as written? What is the EA's current position, in principle, to major redevelopment of brownfield sites at Avonmouth? Is the need for further evidence in relation to flood risk and mitigation concerned with the principle of what might be possible or essentially the detail of how to do it?

3.34 Flowing from the advice in the Habitat Regulations Assessment, the Council indicates (p33 of response to my PQs) that it is currently exploring the potential for habitat creation in the Avonmouth area. What is the scope/nature of this work and expected timing of outputs? How do the Council envisage using this information in relation to the development framework and/or development management?

3.35 The Council indicates (p33 of response to my PQs) that the Highways Agency would oppose new allocations without significant new infrastructure relating to the M5. Has there been any assessment of the impact, possible mitigation measures, cost and deliverability of additional traffic that might arise from redevelopment of unused/underutilised brownfield PIWA sites at Avonmouth and/or of any new greenfield allocations? How has any such assessment been related to the same issues in South Gloucestershire? How do potential impacts and solutions relate to the second Avonmouth Crossing which is listed in the Joint Local Transport Plan as a major scheme requiring further work? (See also my question at 6.10 under Issue 6.)

(Friday am - reserve for any overrun during first week)

Week 2

Monday 28th (PM)

Issue 4 Are there appropriate policies to address the accommodation needs of all sections of the community, consistent with national and regional policy and local evidence?

This issue will be discussed in separate hearing sessions, reflecting the focus of different policies.

Affordable Housing

4.1 My preliminary view is that on the basis of the evidence in the SHMA (CDE10) there is a well justified need for a substantial scale of affordable housing (much more than is likely to be delivered in any realistic scenario) and that overall "need" requires no further discussion at the hearings. I would find it helpful if the Council could explain what is the expected outcome for the total provision of affordable housing taking into account schemes for 100% affordable provision, the fact that policy BCS18 will bite only on sites which have not yet been granted planning permission and that the percentage contribution from permitted sites will be much lower. This is the wider context in which delivery via policy BCS18 needs to be considered.

4.2 Does the Council now place any reliance on the Atisreal study *Bristol – Site Viability Assessment* June 2008 (CDE11) to support policy BCS17? If so, please explain.

4.3 The BNP Paribas Real Estate study *Bristol Housing Viability Study* November 2009 (CDE12) is a detailed piece of work. Council to explain carefully how it has drawn on the study's conclusions in setting the percentages in policy BCS17. Viability outcomes depend on the assumptions about existing use values, sales values and development costs and the study reasonably seeks to show a range of possible outcomes in different circumstances. I have found it difficult, however, to get any overview of what is the most typical set of circumstances applicable in each of the assessment zones to judge whether the policy's requirements are reasonable over the plan period. For example, I do not know what are the most common existing uses in the different zones for sites expected to be used for housing. Can the Council give a broad indication of what proportion of sites (or proportion of expected housing) in each zone it expects to be viable on the basis of the study's assumptions in the 2 market scenarios used.

4.4 Do other participants have any substantial concerns with the assumptions used in the study. If so, please explain.

4.5 Irrespective of my overall conclusion on the above evidence, I consider that in the light of the variety of circumstances and changing market conditions in which the policy will be applied, the importance of maintaining the viability of developments should be made clear and not regarded solely as an *exceptional circumstance*. I also consider that the policy should make clear that the proportion of affordable housing to be secured will be the subject of negotiation.

4.6 The policy requires an appropriate financial contribution from developments of fewer than 15 dwellings. This lacks clarity as to the amount of contribution. How will this be determined?

4.7 How is this requirement compatible with the indication in national advice (PPS3 p11) that affordable housing will be provided on the application site? What is the local justification for seeking financial contributions in all cases on sites of fewer than 15? What was the smallest size of development to which viability testing was applied?

4.8 Is the approach logical and reasonable in relation to sites for only 1 additional dwelling? Could the likely need to explain viability issues and pay for independent validation by the Council represent a disproportionate cost for some small developments, given that this is a cost at the application stage?

4.9 Is this aspect of the policy intended to apply to small developments which are 100% affordable housing? If not, this should be made clear in the text.

4.10 Is the requirement for all affordable units to remain affordable for future eligible households realistic, bearing in mind that for some intermediate types of housing stair-casing to full ownership may be allowed? Could the underlying aim be secured by indicating that arrangements should be in place to recycle the subsidy for the provision of future affordable housing?

Housing Mix

4.11. Is it realistic to apply the aims of policy BCS18 to all housing developments as stated (eg sites of only a few dwellings). Should a minimum threshold be set?

4.12. The policy delivery box indicates that a future supplementary planning document will address housing mix. When will this be available? Is its production programmed? Will it cover all the issues set out in the policy?

4.13 The policy does not give any steer as to what might be required in different parts of the city, resulting in considerable uncertainty for prospective developers. I am concerned that, in isolation, the policy could be ineffective and difficult to apply. Nor does it provide much of a steer to shape the SPD. From existing evidence, what greater clarity could be introduced? This may be especially important if the production of the SPD is some way off.

4.14 Does the policy requirement for sufficient space for everyday activities apply to inside space and/or to outside space? What are the *appropriate space standards* referred to?

4.15 How does the Council know that its aspirations for housing mix and space standards in this policy and density (in policy BCS20) are deliverable in the context of the range of housing sites/locations set out in BCS5?

4.16 What consideration has been given to the accommodation needs of the elderly eg sheltered and extra care housing? Has any assessment been made of such needs and how does/will the LDF assist delivery?

Gypsies and Travellers and Travelling Showpeople

4.17 I note that the 24 required pitches for Gypsies and Travellers identified in the GTAA (as noted in paragraph 4.19.4 of the Core Strategy) is also the requirement to 2011 set out in table 4.3 of Secretary of State's Proposed Changes to the RSS. Have any arrangements been made by the West of England Partnership for the apportionment of the requirement in the Proposed Changes for 51 plots for Travelling Showpeople in this sub region? If not, how is the suggested 8 plots in Bristol City to be judged reasonable?

4.18 The GTAA looked only to needs to 2011, but the Core Strategy should provide a suitable steer over the whole plan period so that subsequent allocations do not simply address a backlog, but plan for future need as is done for housing. Paragraph 6.1.14 of the Proposed Changes to the RSS indicate that a 3% compound growth rate should be used for future provision in the absence of any updated GTAA. What figure does this produce when applied to total provision in 2011? My preliminary view is that this figure should guide long term provision (until there is better local information for the rest of the plan period). Without taking into account long term needs, it is not possible to ensure that the policy criteria are realistic. I consider that the policy should be amended to indicate that these future needs will also be met through allocations, in order to make it effective in meeting needs over the whole plan period. I invite the Council to put forward a possible change for discussion.

4.19 The first 2 considerations listed in policy BCS19 are relevant if there is a choice to be made between possible sites to be allocated in the Site Allocations and Development Management DPD, but I do not understand how they would be applied to other sites the subject of planning applications. Sites for gypsies and travellers and Travelling Showpeople are low density land uses. Would not the residential element of such sites be acceptable (in terms of accessibility) anywhere within the built up area, even if not well located to services and public transport, in the same way that conventional housing would be? It would be unreasonable to subject an application for a single family pitch or plot to a more exacting requirement in relation to accessibility than a single dwelling within the urban area.

4.20 What assessment has been made of the deliverability of the required 24 pitches by 2011 and future needs to 2026 in accordance with the policy's *considerations*? Many of the required pitches may need to be delivered by the private sector (given the lack of public funding and/or the preference and ability of intended occupiers to self finance). Is it likely that sufficient suitable and affordable sites would be found within the urban area? Unless there is evidence to the contrary, I suspect that the private sector could secure few, if any urban sites because of competing higher value uses. Depending on how they are to be interpreted, the first 2 considerations listed might unduly restrain provision outside the urban area. Similarly, if *safe pedestrian and cycle access* referred to in the 3rd consideration is intended to apply to routes between sites and local services, this might also rule out sites beyond the urban area.

4.21 Are there likely to be sufficient acceptable opportunities in the non Green Belt countryside to ensure that there is no need to find sites in the Green Belt over the lifetime of the Core Strategy?

4.22 Should the policy considerations include the acceptability of living conditions for future occupiers?

Tuesday 29th

Issues 5 Is the retail hierarchy in policy BCS7 justified by the evidence and does the Core Strategy contain sufficient strategic guidance for the role of centres, consistent with the requirements of PPS4?

Policy BCS7

5.1 Is each centre given an appropriate role in the hierarchy?

5.2 Policy BCS2 indicates that the city centre boundary will expand into the St Phillips Marsh area and Newfoundland street area (the merits of this change are discussed later), but these areas are not mentioned in BCS7 or the table listing the hierarchy of centres/extent of the City Centre. What is the intended relationship between these 2 policies in this regard and should they be consistent?

5.3 Does the absence of future floorspace requirements or the identification of any particular centres for future growth undermine the effectiveness of the policy (bearing in mind the requirements of PPS4 such as EC1.3 and EC3.1b.i)?

5.4 Does the policy (along with other policies in the plan) provide sufficient guidance for the effective management of centres to fulfil their role?

5.5 Is cross-boundary working necessary to ensure that immediately adjoining centres eg Kingswood, effectively meet the local needs of adjoining parts of the City and to manage change in peripheral areas of such centres within Bristol City eg Two Mile Hill. If so, what should the Core Strategy say about such changes?

Enlargement of the City Centre and Gateways (part of policy BCS2)

5.6 On what evidence/assessment were the 2 areas selected for enlargement of the City Centre? What alternatives were considered?

5.7 Does the description of the areas in policy BC2 provide sufficient clarity for the detailed boundary to be established in the City Centre AAP? (See also the question above in relation to the areas listed in policy BCS7.)

5.8 On what basis are *city centre gateways* identified in policy BCS7 and what is their purpose? Are there others and should there be a consistent approach to their identification?

Possible new centre for South Bristol (part of policy BCS1)

5.9 In my *Preliminary Questions* to the Council (16 April 2010) I indicated that whether or not there should be a new centre and broadly where it should be is a decision that should be made in the Core Strategy and asked the Council what clarity could be given to the need for and potential location of a new centre. The Council's response indicates that it is not currently possible to advance this matter in the Core Strategy. It notes that a study commissioned from GVA Grimley has recently provided draft findings and that the work can be progressed in the Site Allocations DPD and the Knowle West Regeneration Framework.

5.10 When will the draft/final report from GVA Grimley on a new centre for South Bristol be published? When will the Council initially decide whether a new/enhanced centre is needed and where it should be? How does any decision relate to the timetable for consultation/progression of the Site Allocations DPD and what is the relationship between the Knowle West Regeneration Framework and the Site Allocations DPD?

5.11 If the Council does not yet know whether there should be a new centre and where a new/enhanced centre should be, on what basis is it making preliminary choices about where the substantial new office developments proposed in South Bristol should be directed (pp 37/38 of the Council's response)?

5.12 Does the uncertainty raised by the wording in policy BCS1 concerning a new centre undermine the effective co-ordination or implementation of the strategy for South Bristol or be likely to create difficulties in the finalisation and Examination of the Site Allocations DPD?

5.13 The wording in policy BCS1 currently leaves open several possibilities. If it is clear by the time of the hearings that some of these are not being pursued by the Council, it should put forward a possible change for discussion which makes the policy more focussed.

Wednesday 30th

Issue 6 - Is the necessary infrastructure needed to accommodate the planned strategy identified and is it deliverable?

6.1 This issue will be discussed in 3 separate hearing sessions, reflecting the focus of different policies.

Overall background information required from the Council.

6.2 The *Infrastructure Delivery Programme (IDP)* (March 2010) (CDE27) is an important evidence document. It would be useful for both the discussion under this issue and to support the delivery of the Core Strategy, if the information on particular projects was updated and more specific comments/information introduced on particular projects. For example, almost identical comments are made for each of the rapid transit routes and for each of the bus routes, but in each case some will be more advanced than others (eg different stages in progression of the necessary major scheme bids to the Department of Transport). It should be possible to have much greater specificity for projects which are shown with a phasing of 2006-2011 or for projects which have been identified as priorities. Where clear timetables for further progression of transport (or other projects) have been set out by the lead agency, this information should be provided in the IDP. I request that the IDP is updated by the deadline for further responses (3 June), but it would be helpful if it could be provided a little earlier. Please ensure that any updating is made distinctive from the original text to ease reading.

6.3 The IDP refers to 2 other documents. Paragraph 4.1 refers to a draft report undertaken by *Roger Tym and Partners* in *October 2009* and the conclusions of that report inform discussion in the IDP. Any evidence on which the Council rely to support the Core Strategy should be published and open to scrutiny. The final report (or the draft report if there is no final report) should be published as soon as possible (so that other parties can have regard to it in making any further responses). If it is to be relied on, it should not be held back until the deadline for all responses.

6.4 Paragraph 6.2 refers to a *Delivery and Infrastructure Investment Plan* (2010/11-2014/15) being prepared by the West of England Partnership. Has this been finalised? (Is it the document to be found at: <http://www.westofengland.org/media/179564/wofe%20diip%20220410.pdf?>) Please provide/publish as soon as possible whatever is the most up to date document. Please explain whether this plan changes any of the priorities in the Council's IDP (ie whether it would make the delivery of any particular project more or less likely or advance or delay its implementation). The update of the Council's IDP I have requested should incorporate the specific start/completion dates for various projects highlighted in the West of England Plan and identify the

source of the information (unless subsequently superseded). When will any preliminary response from Government/agencies be forthcoming in response to this investment plan? The Council should keep me informed of any indications that call into question the expected funding/project timing so that the potential implications can be discussed at the hearings.

6.5 What is the intended relationship between the Core Strategy and the IDP? Where does the CS refer to the IDP and are any such references set out in a consistent way? Some Core Strategy policies list some items of required infrastructure (such as transport projects in BCS10), but not other essential infrastructure, such as school buildings. Why, and does it make a difference to effectiveness? I invite the Council to include some additional text for discussion and possible insertion in the Core Strategy, which explains this matter.

6.6 Overall, I will want to be satisfied that the Core Strategy makes clear what infrastructure is essential to the delivery of the strategy (without it having to contain any great detail). (All parties should keep in mind that my binding recommendations apply only to the content of the Core Strategy, not to any supporting documents, such as the IDP.)

Transport

6.7. In the Core Strategy, is the Council seeking to reflect only transport priorities and schemes which are in the Joint Local Transport Plan (JLTP) (CDE3)?

6.8 On what basis have the Council selected the specified projects/schemes in BCS10.2, bearing in mind that only some are identified in the IDP as *essential* (others are *desirable*) and not all *essential* schemes in the IDP are included in the policy *eg the Romney Avenue Bus Link*. Are projects listed in a consistent way and what changes would be necessary to ensure that Core Strategy correctly identifies all the schemes regarded as essential?

6.9. The *Greater Bristol Strategic Transport Study* Final Report June 2006 did not include the Callington Link as part of the recommended strategy. It is included in the JLTP as a priority scheme requiring further work (Table 10.1). For what reason/evidence was it included in the JLTP (Table 10.1) and now included in the Core Strategy?

6.10 The JLTP (Table 10.1) lists other schemes for further work which are within or partly within Bristol City, but these do not appear to be referred to in the Core Strategy or the IDP. Why? Does the Council support (or oppose) these schemes? Are there any implications for the strategy if these schemes are implemented during the plan period?

6.11. What are the implications for the overall strategy (and especially housing delivery and economic development) if essential transport projects are delayed significantly because of lack of funding or other problems? The Core Strategy does not set out any contingency arrangements relating to potential delays with transport infrastructure. I invite the Council to consider whether there is scope to introduce any flexibility in this regard. I note that some relevant comments are made in the Council's Position Paper on South Bristol (CDE65).

6.12 Does the reference in BCS10.2 to possible reopening of rail lines involve any routes which are also being proposed as new cycle/walking routes (eg as part of the Cycling City initiative or other cycling strategy)? I elaborate on this matter under *Green Infrastructure*.

Other Infrastructure Provision and Developer Contributions

6.13 The policy delivery text for BCS11 makes clear that obligations from developers will be sought in accordance with the guidance in Circular 5/2005. The *Community Infrastructure Levy (CIL) Regulations 2010* have made it unlawful for a planning obligation to be taken into account in a planning decision on a development which is capable of being charged for CIL if the obligation does not meet all of the following tests (drawn from the Circular): (a) necessary to make the development acceptable in planning terms (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development. The CIL Regulations also set limits and transitional arrangements for how a local tariff can be collected by way of a planning obligation.

6.14 My preliminary view is that parts of policies BCS11 and BCS12 and the supporting text are unsound because they are inconsistent with national policy and the new regulations. In particular, I consider that in the 2nd part of policy BCS11 it is unreasonable to indicate that development should contribute to infrastructure to *support growth* and that the reference to mitigating impacts is all that is needed.

6.15 What is the purpose of listing in paragraph 4.11.6 types of infrastructure to which development may contribute? Development should address whatever is necessary to mitigate any unacceptable impact and whether or not an item is listed in the Core Strategy is unlikely to change that assessment.

6.16 The first part of policy BCS12 seems to overlap with the aim of policy BCS11. What is the main purpose of the policy?

6.17 Policy BCS12 appears to go further than the requirements of Circular 5/2005/CIL Regulations. Expecting developments to provide facilities etc *where need is identified* is much broader than solely mitigating the impact of that development. (I suggest that the first sentence of BCS12 should be deleted).

6.18 As a result of the CIL Regulations there is no long term future for a general tariff to be collected through planning obligations. The last paragraph regarding policy delivery needs to be amended to reflect this, as well as any decision that the Council has made as to the use of CIL.

6.19 I invite the Council to put forward possible changes to these policies and text for discussion at the hearing which will focus on what changes are necessary to make these policies consistent with national policy. No further responses are sought from other parties on the matters outlined above.

Green Infrastructure

Policy wording

6.20 There is repetition in the 3rd paragraph of policy BCS9 and the last part of the section on open space. A minor change could deal with this.

6.21 The wording of the 2nd paragraph of policy BCS9 - *where the loss of green infrastructure is unavoidable...* appears too open-ended because it is difficult to know how *unavoidable* is to be judged. Some interpretations might undermine the underlying aim of much of the rest of the policy. I invite the Council to put forward a possible change for discussion along the lines of: *Where the loss of green infrastructure is proposed in a development plan or accepted to achieve other objectives and policies of this Core Strategy...*

Open space standards

6.22 Where will the standards for open space for new development be set out? The policy delivery section refers to SPD, but also refers to the Parks and Green Spaces Strategy setting appropriate standards and also other strategies. If the application of a standard might be used to refuse a planning application it should be set out in a DPD (and hence the subject of independent examination) and not SPD. This therefore may be a task for the Site Allocations and Development Management DPD. The Council is requested to clarify the intended role of this DPD, SPD and other strategies and, in the light of my advice, put forward revised text for the policy delivery section for discussion at the hearing.

Bristol Wildlife Network

6.23 Policy BCS9 refers to protection of the integrity of Bristol Wildlife network. The policy delivery section notes that the Wildlife Network will be identified on publicly available maps. I note that *Wildlife Network* sites are shown on the Local Plan Proposals Map and that Local Plan policy NE6 concerning such sites is not shown to be superseded by the Core Strategy. I am unclear as to the Council's intentions for showing Wildlife Network Sites and how any change to the Proposals Map is to be brought about.

- The wording of the policy in BCS9 would seem to address the intended approach to Wildlife Network sites, so should Local Plan policy NE6 be superseded? This would not be appropriate if a more detailed policy was to be set out in another DPD. But if this is the case this should be made clear under policy delivery.
- Is the Council intending to delete the Wildlife Network sites from the Proposals Map? If so, and policy NE6 is to be superseded, then the Core Strategy is the DPD which triggers such a deletion and it should have been shown on a submission Proposals Map so that it could be the subject of representations. My preliminary view is that any non statutory designation which might be used to refuse an application should be shown on the Proposals Map.
- Is the current extent of the Wildlife Network shown on the Proposals Map? If it needs updating, that should be made clear.

6.24 The Council is invited to put forward possible changes for discussion at the hearing which clarifies its intentions in the light of the above comments. (See also Other Matters below for further questions relating to the Proposals Map and superseded policies.)

Green Infrastructure Corridors and existing/former railway lines

6.25 The representation from the Friends of Bristol Suburban Railways (ref 1868) in relation to this policy lists railway lines/former lines which appear to correspond with the parts of the green corridors shown in Fig 4.9.1. Policy BCS10 promotes rail improvements, including the possible reopening of lines. Is there the possibility of conflict or tension between these respective policy objectives? If so, I consider that priorities should be made clear. What would be the Council's priorities?

6.26 To help me understand the potential problem, I ask the Council firstly to produce a simple plan which overlays the green corridors on the rail/former rail network (suitably identified). Secondly, to list all the rail improvements (or other transport use of rail corridors) that may occur over the plan period along with the source/status of such possible schemes eg JLTP, West of England Major Scheme Bids, Network Rail etc.

6.27 No further responses are sought from other parties on the above sub issues at this stage.

6.28 The Local Plan Proposals Map identifies under policy NE2 many *prominent or strategically important landscape features*. What is the Council's intention as to the principle of continuing with such designations? If, collectively, they are of strategic importance, should the Core Strategy indicate the approach to be taken (with detailed policy and designations to be reviewed in the Site Allocations and Development Management DPD)?

6.29 Do the landscape features identified under policy NE2 amount to local landscape designations to which the test in PPS7 (paragraph 25) should be applied? If so, what assessment has been made of the need for such designations?

6.30 If any reference needs to be made to the approach to these features, what is the most relevant part of the Core Strategy? Are they part of the green infrastructure or an aspect of local distinctiveness to be considered in the design of new development and thus relevant under policy BCS21?

Thursday 1st July

Issue 7 Are there appropriate policies to respond to climate change, for renewable energy and for sustainable construction, consistent with national and regional policy and local evidence?

7.1 There is considerable overlap in the coverage of policies BCS13, BCS14 and BCS15. I am concerned that application of and compliance with these policies in development management may be complicated, potentially weakening their effectiveness. I invite the Council to explain how it sees these policies operating in practice.

7.2 The Supplement to PPS1 *Planning and Climate Change* sets out clear criteria against which any local requirements for sustainable buildings should be justified. I have read the *Bristol Citywide Sustainable Energy Study* (June 2009) (CDE6) (which appears to be the only evidence in support of these policies). The following questions arise directly from national advice:

- What are the *local circumstances that warrant and allow* the imposition of the local standards?
- What is the justification for adopting a city-wide policy rather than focussing on development areas or site-specific opportunities (Supplement paragraph 31)?
- What is the justification for the different requirements for sites of fewer than 100 and more than 100?
- What is the justification for the choice of the different BREEAM standards and are these intended to apply to new free standing buildings and extensions of any size?
- What assessment has been made of the viability and delivery implications of these local standards (Supplement paragraph 33)? Please explain carefully, including reference to viability testing in relation to the requirements for non-residential buildings.

7.3 The *Infrastructure Delivery Programme* (CDE27) refers (paragraph 4.8) to the assessment in the unpublished study by Roger Tym and Partners of the "viability challenges" for residential development in key locations, which would

appear to raise doubts about deliverability in the next few years. Even if I were to be satisfied that policy BCS15 were justified in principle, I consider that viability should be an explicit consideration to be taken into account and should be recognised in the policy. Please provide possible wording for discussion at the hearing.

7.4 Policy BCS14 encourages the use of combined heat and power plants and district heating networks. Paragraph 4.14.8 sets out a hierarchy of options. The following questions arise as to the justification and effectiveness of such a policy:

- What practical steps are the Council taking to enable the provision of district heating networks?
- On what evidence as to feasibility and viability of such networks or site-wide CHP/CCHP plants does the Council rely to support the aims of this policy? (The Policy Delivery section indicates that an Energy Service Company *could* be set up to assist delivery, but this is vague.)

7.5 Much of the housing development likely to be built in the next few years already has planning permission and delivery of many of the larger, unpermitted, housing sites is not unexpected to occur until 2016 onwards, which is the current date for zero carbon to be a national requirement. What practical benefit does the Council anticipate from policy BCS15 between now and 2016?

7.6 No further responses are sought from other participating parties on the above matters at this stage, but if the Council publish further evidence this can be the subject of comment reflecting the above questions.

7.7 A final question for the Council (and other parties if they so wish): The Government published in March 2010 a consultation draft PPS *Planning for a Low Carbon Future in a Changing Climate* which is intended, among other things to replace the PPS 1 Supplement. Found at: <http://www.communities.gov.uk/publications/planningandbuilding/ppscclimateconsultation> (Council - please make a Core Document.)

Whilst this draft has very limited weight, if it is subsequently published as a PPS would it change the principle issues underlying the soundness of policies BCS13, 14 and 15 compared with the issues explored above?

Issue 8 Is there appropriate strategic guidance given on density, design and conservation consistent with the overall strategy?

Density

8.1 My main concerns are the clarity of the policy wording, the relationship/consistency with the indicative diagram 4.20.1 and resulting effectiveness.

8.2 The policy indicates that higher densities will be sought in 3 types of locations and then indicates that a minimum indicative density of 50 dwellings per hectare (dph) will be sought. Does that mean that in the 3 types of locations highlighted densities should normally be higher than 50dph? Does the bottom of the shaded range in Diagram 4.20.1 represent 50dph?

8.3 Are all centres regarded as *accessible* by public transport or only some? Is some threshold of frequency/duration of the public transport service to be used in defining what makes a centre *accessible*? Is so, could the *accessible* centres be identified in the Core Strategy?

8.4 To what extent will planned improvements in public transport (as highlighted in the Core Strategy) change the accessibility of some centres? When should any

planned improvement in accessibility be taken into account in the appropriate density of new development? Does diagram 4.20.1 represent the present or the planned future?

8.5 On what basis/evidence has a minimum 50 dph been judged appropriate as the normal minimum density across the city?

8.6 I invite the Council to include additional text and or revised policy wording to make the above matters clearer.

Design (Policy BCS21) and Conservation BCS22

8.7 The long list of bullet points in BCS21 reflect general design principles applicable anywhere and established in national advice (as does the design paragraph in policy BCS2). How does the Core Strategy advance the achievement of *high quality urban design* (the words in the policy) in Bristol? I note that the vision is for *exceptional* urban design.

8.8 Has any assessment yet been made of the locally significant factors which should be taken into account in design and layout (eg relationship to the waterfront, steep hillsides, historic fabric and so on)? If so, could such work help identify locally distinctive design issues and aims? (See also my questions under Issue 6 on protected landscape features.)

8.9 What is the intention in relation to the use of *Building for Life* standards? Will applications be refused if they fail to meet the standards set out? If so, is there any indication within the *Building for Life* literature or directly from CABI that the *Building for Life* assessment process can and/or should be used for the determination of planning applications? Is it the intention that all developments of more than 10 dwellings will be formally assessed by the Council (with the required registration with CABI)? If such use is legitimate, what is the reason for the stepped approach to achieving the "very good standard"? (My initial view is that the *Building for Life* formal assessment process can be used to inform judgments about good design, but should not be used in the mechanistic way that appears to be suggested in the policy. It is also a useful indicator for monitoring the outcomes of the design policy - as appears to be the suggestion in the policy delivery section.)

8.10 The policy indicates that other *established national methodologies* will be used. I consider that this reference lacks clarity. What are the other methodologies besides *Building for life*? What are the standards that have to be met? Is their use in this way justified?

8.11 The Council's SPD1 *Tall Buildings* 2005 (CDE63) is referred to in both policy delivery sections for BCS21 and BCS22. If this provides any locational guidance for tall building would not this be more appropriately revised and incorporated in a DPD, such as the city centre AAP (if potential locations for tall building are within the geographic coverage of this DPD).

8.12 In isolation, I have no specific concerns with the wording of policy BCS22. My preliminary view is that the separation of this section from design is one of the reasons for my perception of weakness and lack of local distinctiveness in the design policy. There is considerable overlap in the policy delivery sections relating to the design policy and to conservation policy. I do not gain a clear picture of how the different tools referred to will be used. Council to explain carefully the roles, relationship between and respective timing of: the city-wide urban context analysis, supplementary planning document on design, area design

frameworks and policies in the Site Allocations and Development Management DPD, all of which are mentioned under policy delivery. I invite revised text which draws on the Council's explanation.

Issue 9 Are there clear indicators and targets which will measure the effective implementation of policies and actions specified if monitoring indicates a lack of effectiveness.

9.1 A number of policies do not have indicators which are sufficiently aligned with the main thrust of the policy or its intended delivery mechanism. Many indicators seem rather peripheral to what the policy can actually achieve. Many indicators do not have targets. Little or no action is specified if monitoring indicates that a policy is not being implemented effectively.

9.2 Monitoring elements of the Core Strategy can be finalised only when the final form of policies is known, but I would ask the Council to re-consider the approach to monitoring in the light of the above comments and produce revised material which can be discussed at the hearing. I do not expect the monitoring material to become unduly complex or lengthy but to focus on monitoring the implementation of policies' aims.

10. Other matters to be addressed

10.1 As previously requested the Council should provide a simple schedule of the post publication changes so that they can be easily assimilated by all parties and amended if necessary. (Minor change C4.10.10 should not be included.)

Superseded policies and the Proposals Map

10.2 Appendix 1 of the Core Strategy sets out a list of saved local plan policies which will be replaced when the Core Strategy is adopted. This is most commonly presented as a cross reference table linking the policy in the Core Strategy with the policy(s) that they each replace. Could the Council please produce such a schedule so that if any policy is changed or deleted it is easier to pick up the consequence for the replacement of saved policies.

10.3 Some of the policies to be replaced may be the only policy supporting a notation on the Proposals Map (eg M5 Park and Ride Avonmouth, but there may be others). It would be logical for the adoption of the Core Strategy to result in a change to the Proposals Map deleting such notations corresponding to the replacement of a saved policy. I am unclear whether the new retail hierarchy in policy BCS7 (replacing that in Local Plan policy S2) should result in any changed notation, especially if a former centre is no longer identified as centre at all or would become a centre without any differentiation between primary and secondary shopping frontages. The Council should consider this carefully and explain how such changes are to be handled.

10.4 Any changes to the Proposals Map which would arise from the adoption of the Core Strategy should have been the subject of a submission Proposals Map accompanying the publication/submission of the Core Strategy. If the further consideration requested above identifies any such changes, the Council should put forward plans showing the necessary changes (including changes to the Key) so that these can be discussed if necessary and included in any advertised changes in due course.

Land stability and Mineral Safeguarding

10.5 The representations from the Coal Authority raise 2 potentially important issues firstly land stability and secondly the safeguarding of coal deposits. I would encourage further discussion between the Council and the Coal Authority to try and agree a way forward on these matters. A hearing session may be required if matters cannot be suitably clarified. My preliminary view on the first matter is that if potential land instability arising from former coal workings (or other causes) is an issue affecting parts of the City then this should be highlighted in the Core Strategy, with clear indications of where further information can be obtained and that, for example, more detail will be set out in the Site Allocations and Development Management DPD.

10.6 Minerals Policy Statement 1 makes clear that Mineral Planning Authorities should define *Mineral Safeguarding Areas* (MSAs) in Local Development Documents in order that proven resources are not needlessly sterilised by non-mineral development, although there is no presumption that resources defined in MSAs will be worked. More detailed advice is provided in the British Geological Survey's publication *A guide to mineral safeguarding in England* (2007). My understanding is that there will be no separate DPD addressing minerals within Bristol City and thus mineral safeguarding would have to be achieved through the Core Strategy and its related DPDs. If the evidence indicates that some safeguarding areas should be defined, the Core Strategy could signal the intention to do so and highlight the broad areas of search. It should make clear that a specific safeguarding policy and the related designation on the Proposals Map will be made via the Site Allocations and Development Management DPD. The key starting point is whether there is evidence of proven resources which need safeguarding. The Coal Authority should assist the Council with evidence in this regard, but the Council needs to come to a considered view. Please set out what progress has been made by the response deadline.

Simon Emerson
Inspector
13 May 2010