

## **BRISTOL CITY COUNCIL CORE STRATEGY EXAMINATION**

### **Inspector's Preliminary Comments, Concerns and Questions**

#### **1. Introduction**

1.1 I am at an early stage in my preparation and I have not read all the background documents. But I have identified some matters about which I am concerned and some matters on which clarification would be helpful prior to identifying the main issues on which the Examination will focus and the questions for discussion at the hearings. I have highlighted in *italics* those parts of this note which raise questions for the Council. These questions focus on housing delivery and employment. I may have further preliminary questions on other matters in due course. I express a preliminary view on some matters so as to alert the Council to the possibility that further evidence or changes to the submitted Core Strategy may be required to make it sound. I do so in a spirit of openness, but without prejudice to my final conclusions on soundness.

1.2 It would be very helpful to receive an initial response to the specific questions highlighted by Thursday **29 April** so I can take them into account in preparing my draft issues and questions prior to the Pre-Hearing Meeting (PHM). If any questions cannot be answered by this date, please do not delay the response to the others. The Council should indicate whether my questions prompt the undertaking of any more detailed work and when that would be available. I will ask the Programme Officer to put this note and, in due course, the Council's responses on the Core Strategy Examination page of the Council's website.

1.3 If the answers to my questions are to be found in the material submitted with the Core Strategy please provide specific references. If reference is made to other documents please provide me with a hard copy and add a link to the document on the Council's relevant webpage.

#### **2. Delivering an adequate supply of housing and the relationship to the emerging RSS**

2.1 Policy BCS5 aims to deliver a minimum provision of 30,000 dwellings to 2026 with contingencies to deliver more if required. The Secretary of State's proposed modifications to the emerging Regional Spatial Strategy (RSS) indicate that Bristol should deliver 36,500 dwellings to 2026 with 3,000 of these as part of 2 urban extensions which straddle the boundaries with North Somerset and Bath and North East Somerset (BANES).

2.2 PPS3 (paragraph 53) is clear that Local Development Documents should identify broad locations and specific sites that will enable the continuous delivery of housing for 15 years from adoption, taking into account the level of housing provision set in the RSS. Where the RSS is under review, local planning authorities are advised to have regard to the level of provision in the emerging RSS. Given that the emerging RSS has reached the stage of proposed modifications, I consider that considerable weight should be given to its housing figures, notwithstanding that further progress has been delayed whilst the Sustainability Appraisal underpinning the proposed modifications is reviewed.

2.3 In my view, the Core Strategy must enable the delivery of the level of housing that is specified in the RSS when it is finally approved and, for the present, the working assumption must be that this level is 36,500. It must also have due regard to any spatial steer given in the RSS for how that housing should

be delivered. The spatial steer in the emerging RSS is for urban extensions straddling administrative boundaries with the largest part of the extensions in the areas of the adjoining authorities. I would thus expect to see clear evidence of joint working with those adjoining authorities to achieve delivery as envisaged in the emerging RSS. Any alternative strategy for providing the overall numbers required by the RSS should be agreed between the authorities with convincing evidence that it would represent a more sustainable approach whilst still meeting national and regional policy objectives.

2.4 I have looked only briefly at the Preferred Options Review (February 2009), but it appears to have explored fairly comprehensively how the proposed modifications to the RSS could be delivered. The submitted Core Strategy represents a considerable retrenchment from that earlier document. Paragraphs 4.5.10 and 4.5.11 appear to be the only explanation for this change. *Is further explanation or justification set out anywhere else?*

2.5 I will need to explore at the hearings whether a contingency approach is appropriate in principle. But even if it is, my preliminary view is that the wording of the contingency section of policy BCS5 is far too tentative and lacking clarity to ensure that delivery would take place in accordance with the principles in PPS3. I set out below some specific questions and comments on each of the 3 contingencies, based on the working assumption that the RSS is approved in accordance with the published proposed modifications.

2.6 The Council's first preference is delivery from **small sites/subdivisions** (sites of less than 10 units which were not captured in the SHLAA process). Paragraph 4.5.13 indicates a contribution of 4,500 from this source, which are not to be relied on until 2021.

2.7 *I am unclear whether this figure represents anticipated small site windfalls in the period 2021-2026 or the banking of anticipated permissions between now and 2021. Please explain clearly, showing the calculations and assumptions used. PPS3 (paragraph 59) makes clear that windfalls should not be counted as part of the housing supply for the first 10 years other than in particular circumstances. Nevertheless, as background information, please indicate what the Council consider to be a realistic contribution from small site windfalls over the plan period. (These may not come forward in the future at the same rate as when the housing market was at its peak as the difference in value between new residential development and existing uses may no longer be so great.)*

2.8 PPS3 (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. I am aware that many Core Strategies have been found sound with an element of small site windfalls contributing to supply in this last 5 year period, but PPS3 is clear that the focus should be on the consideration of broad locations. Given this advice, I would need convincing reasons why broad locations have not been identified ahead of a contribution from small site windfalls. *What steps have the Council taken to identify potential broad locations to assist delivery in the last 5 year period (or earlier) and the potential of such areas?* I note that the SHLAA (2009) excluded the assessment of sites in the Green Belt (as well as sites affected by other constraints - paragraph 9.1). The Green Belt may be one such "broad location", irrespective of whether there are to be urban extensions.

2.9 I do not understand how the small sites contribution is a contingency i.e. something which the Council can do (or not) to make a difference to housing delivery. There will continue to be a flow of permissions from small sites over the plan period; the only contingency appears to be when and whether they should

be counted as part of the supply. *Please explain how this element would operate as a contingency.*

2.10 Finally, reliance on a substantial contribution from small site windfalls is likely to have implications for the ability to deliver the housing mix and proportion and type of affordable housing identified as required in the SHMA. *On what basis is the Council satisfied that other planning objectives can be met by this element of supply?*

2.11 The Council's second preference as a contingency is **mixed use development of some industrial and warehousing land**. Paragraph 4.5.14 indicates a potential of 1,700 homes from this source. *What is the evidence/justification for this figure?* Various subsidiary questions come to mind. Please ensure that the Council's response picks up the potential implications of this contingency. For example (but not only) the following points: *Is the potential source sites currently designated as Primarily Industrial and Warehousing Areas (PIWAs) and/or other non-designated employment sites? PIWAs where excluded from the SHLAA (paragraph 9.1). If some non-designated employment sites are included in the SHLAA, has double counting been avoided? The Employment Land Study (February 2009) recommends 60 of the existing 68 PIWAs to continue to be designated in the Site Allocations DPD. Does the figure of 1,700 make any assumption about the 8 PIWAs which the study suggests are no longer fit for purpose? The Core Strategy sets out criteria to identify suitable sites (4.5.14). Would these criteria be applied to all PIWAs or only the 8 considered not fit for purpose and non-designated employment sites? The suggested selection criteria are open ended. Whilst this would enable a flexible approach to be taken, they do not preclude residential use on sites which are suitable for continued employment use. What are the potential implications for the retention/delivery of sufficient employment land to meet the RSS job requirement?*

2.12 I have wider concerns about the Core Strategy's provision for employment (see below), but in the context of housing supply I am concerned that this contingency could undermine the delivery of the economic objectives of the Core Strategy. Alternatively, if residential use is envisaged only on sites which are unsuitable for long term employment use, I see no reason why such sites should not be redeveloped in any case i.e. there is no reason for them to be treated as a contingency. Finally, I am unclear when the Council envisage this contingency being triggered and how the additional housing would be delivered. Paragraph 4.5.14 refers to sites allocated through the development plan process. *Would this be via the Site Allocations DPD as currently programmed, require a delay in producing this DPD or require a subsequent allocations DPD?*

2.13 The third (lowest) priority contingency is the **use of some Green Belt land for "urban extension development"**.

2.14 *Please indicate what stage both BANES and North Somerset Councils have reached with their respect Core Strategies and their timetable to submission. Please provide a hard copy of both Council's most recent Core Strategy document.* I cannot assume that any present opposition to these urban extensions necessarily means that when adopted their Core Strategies would not embrace these developments.

2.15 I am unclear as to the circumstances in which the Council would regard this contingency in BCS5 as being triggered and progressed. Paragraph 4.5.15 indicates that this contingency "is not expected to be subject to consideration until at least 2021". *What does this mean in practice for the allocation of land for*

*an urban extension?* Two particular points: if the Council has to deliver the 36,500 dwellings as required in the emerging RSS, then the annual requirement would increase throughout the plan period not just at the end. Secondly, as highlighted in the representations by Crest Strategic Projects and Key Properties (Ref 1465) there is likely to be a considerable lead time from the initial planning of a such a development to securing significant delivery. A decision on whether to proceed with this contingency could not be delayed until late in the plan period if it is required to support housing delivery to 2026. A need to review the Core Strategy to trigger a contingency is not a desirable approach.

2.16 I am unclear whether the contingency for some form of SE urban extension is envisaged as being pursued by Bristol City Council irrespective of what the BANES Core Strategy eventually proposes. The RSS clearly envisages a large urban extension straddling the boundary. *Is there potential for a more modest urban extension within Bristol City's boundary with the possibility of further expansion?* Close cross boundary working is intended to avoid such uncertainties, but my preliminary view is that there may be the need for some contingency relating to the final outcome of the Core Strategy for BANES. Please consider how this might be worded.

2.17 I am unclear what evidence/assessment the Council has made (whether undertaken on its own, jointly with the neighbouring authority or prepared by others) to assess the capacity and potential deliverability of both urban extensions identified in the RSS. *Please explain.* I have seen reference to a document "Capacity Appraisal Studies of the Proposed Urban Extensions South East and South West of Bristol" (BCC January 2007). *Please provide a hard copy.*

2.18 Paragraph 4.5.15 of the Core Strategy indicates that the capacity of the SE urban extension is unlikely to exceed 1,500 homes. *On what assumptions is this assessment based? Is the Indicative Masterplan now provided by Crest Strategic Projects and Key Properties significantly different to the scheme on which the Council's SA assessment was based?* I invite that Council to make a fresh SA assessment based on the information provided by the prospective developer of land at Hicks Gate. (I appreciate that this may not be possible by my initial deadline.)

2.19 Irrespective of what is proposed within Bristol City's boundary, I am unclear as to the extent to which the Council (and the Core Strategy) has taken into account the implications of possible large scale urban extensions just beyond the boundary. *What difference could or should such developments make to what is planned within Bristol City? Please explain how this has been taken in to account.* One example would be the implications for the capacity (both of rapid transit and other traffic) and deliverability (including funding) of the South Bristol Link.

2.20 Paragraph 4.5.16 indicates that the potential capacity of land to the south west is too limited to be identified as a meaningful contingency for future supply. The submitted evidence includes a "Capacity Appraisal of Sites in the South West of Bristol" (February 2010) which is more recent than the publication version of the Core Strategy. This identifies a capacity of around 500 (varying with assumed density). *Was this figure in mind when paragraph 4.5.16 was written?* Clearly the reasonableness of this assessment may need to be explored as the Examination proceeds, but I do not regard a potential supply of 500 dwellings from within the Green Belt as so small as to be ignored in the CS. *What are the Council's intentions with regard to potential housing delivery in this area? In particular, if the larger part of urban extension (in North Somerset) were to proceed, would the Council be positively planning to integrate this effectively with the urban edge of Bristol with the potential for 500 dwellings within its boundary?*

If so, the Core Strategy should make this clear. *Alternatively, does the Council see any potential for housing delivery from this Green Belt fringe even if the main urban extension did not proceed (because it did not need to be pursued in North Somerset's Core Strategy)?* Again, the Core Strategy should make the position clear.

2.21 On the evidence currently before me, I am unlikely to be able to find the Core Strategy sound on the basis of the wording of policy BCS5. I am not in a position yet to suggest what changes might remedy this potential unsoundness as there are too many other issues and areas of evidence with potential impacts on how this should be addressed that I still need to explore. Nevertheless, I would urge the Council to consider, firstly, what changes would make the Council's current intentions clearer. And, secondly, on a without prejudice basis if necessary, wording which responds more positively to the requirements of the emerging RSS (but taking into account uncertainties arising from cross-border implications) and of PSS3. It would facilitate the progress of the Examination overall if it were possible to discuss at the hearings the wording of possible changes.

### **3. Components of the 30,000 dwellings identified in Policy BCS5**

3.1 In this section I set out some questions and comments in relation to the evidence justifying the delivery of the 30,000 dwellings the Core Strategy specifies as its minimum housing provision. Underlying issues will need to be explored further with participants at the hearings. At present, I seek clarification of some specific points only.

*SHLAA 2009*

3.2 Paragraph 1.1 refers to the SHLAA being considered by the West of England Housing Market Partnership meeting on 12 March 2009. *What comments did they make?*

3.3 Paragraph 4.6 refers to "Area Green Space Plans" for 14 Neighbourhoods to be consulted on during 2010 which, among other things, will propose low value green spaces which the Council might dispose of. The SHLAA assumes a global contribution from this source of 1,100. *How has this figure been derived? When are the Area Green Space Plans likely to be available in draft and approved?*

3.4 In the Site Schedule in the SHLAA under "Action to overcome constraints" the description "Review underway (February 2010)" applies to many sites. *What is this process and when will it be completed? Please provide the outcome when available.*

3.5 Paragraph 9.5 of the SHLAA refers to a number of sites falling within Flood Zone 2. In the site schedule in the SHLAA flood risk is identified as a constraint for 2 sites SH0013 and SH0033. *Are there others?* By reference to diagram Area C Flood Zone – FZ3a + climate change in the "Strategic Flood Risk Assessment Level 2 SFRA Main Report" (Nov 2009) a large part of site SH0033 appears to be in flood zone 3 (not 2). Is this correct? Has this greater risk/constraint been taken into account in estimating the potential capacity of this site?

3.6 Paragraph 4.16.4 of the Core Strategy indicates that the Site Allocations and Development Management DPD will follow a sequential approach to the allocation of sites for development in accordance with PPS25. On this basis, sites in the SHLAA affected by higher flood risks (zones 2 and 3) must be regarded as

uncertain in terms of land supply at this stage. Given that there is no headroom or flexibility from the identified sources of supply to meet even the Core Strategy's 30,000 minimum, this immediately raises a question mark over effective delivery.

3.7 In my view, it is reasonable to delegate to a site allocations DPD the application of the sequential test only where there is a sufficient basket of potential sites to enable real choice in site selection. On the evidence before me, I consider that the sequential test needs to be applied to inform the overall strategy for housing delivery in Bristol. This is a matter for the Core Strategy. It is only at the Core Strategy stage that there is the opportunity to make any real choice between some development on, say, low risk peripheral greenfield sites and, say, any higher risk central sites. ***I invite the Council to prepare a short position paper on the application of the sequential test and its implications for the strategy.*** I suggest this is done by the Pre-Hearing Meeting so that it can then be the subject of comment by others leading up to the hearings. The Position Paper should be discussed with the Environment Agency.

#### *Five year Housing Land Supply 2009-2014*

3.8 The evidence in this document is clearly important for underpinning some aspects of the SHLAA and the assumptions made in it will need to be explored at the hearings. Consistent with the advanced state of the emerging RSS, I consider that a 5 year supply should be calculated on the basis of the RSS target of 36,500. *Please provide this analysis.*

3.9 Despite the explanation provided in paragraphs 2.9-2.14 I am unclear how in practice sites with planning permission but not yet started were assessed. It seems that all such sites were identified as available, suitable and achievable. *Is this correct?* The penultimate sentence of paragraph 2.14 reads oddly. *Is no missing before obvious?* If there were to be evidence which indicated that some of the permitted sites would not come forward as expected would raise a question mark about overall delivery.

3.10 Paragraph 2.10 refers to sites amounting to 155 which owners/developers indicated would not be pursued. *Has this number been taken off the total contribution from permitted sites along with the re-adjustment for new dwelling numbers on some sites referred in paragraph 2.3?*

#### *Delivery by City Area*

3.11 So that I (and others) can more readily relate the SHLAA sites to those policies in the Core Strategy which indicate housing numbers in different parts of the City, *please produce a SHLAA site schedule divided between policy areas BCS1, BCS2, BCS3 and the rest of Bristol (summing each area). Please also indicate where the broad boundaries between these different policy areas lie on the maps of SHLAA sites (or which complete Neighbourhoods Partnership Areas correspond to the 5 spatial areas in the Core Strategy).*

3.12 Table 7.1 of the "Infrastructure Delivery Programme" March 2010 provides a summary of completions, commitments and total planned provision in the 5 spatial areas of the City. But is difficult to relate this table to the table in policy BCS1 and the SHLAA sites. There is a need to present anticipated delivery in the 5 spatial areas in a comprehensive way, but which also makes clear what information is being drawn from what sources. I want to fully understand what headroom or flexibility in housing delivery might exist in each area and overall. The table on p7 of the SHLAA suggests very little even for the delivery of the

Council's 30,000 minimum, let alone to help meet the emerging RSS figure. This is a concern.

3.13 I want to be better informed about the prospects for delivery of the 10,000 dwellings proposed for South Bristol given that this represents the largest single contribution to housing supply and that a number of representations question the practicality of achieving this target. *What are the critical constraints which need to be overcome? Who are the key landowners and developers? What is the expected role of the HCA, RDA and so on? In short, how is the Council going to make this happen?* Anticipated implementation/delivery should also be related to the timing of the key transport improvements in this area, particularly the South Bristol Link and the Hengrove to north fringe rapid transit route. *What would happen if these schemes were significantly delayed (eg because of a lack of funding)?* There is some relevant information in parts of the "Infrastructure Delivery Programme" March 2010 (eg 6.5-6.11) but I found this information difficult to relate to the overall South Bristol proposals. ***I invite the Council to prepare a position paper regarding delivery in South Bristol.*** I suggest this is done by the Pre-Hearing Meeting so that it can then be the subject of comment by others leading up to the hearings. I would encourage the Council to seek the agreement of key partners to any such paper.

#### **4. Employment Land**

4.1 The Employment Land Study (ELS) (February 2009) identifies, among other things, a requirement for 24.5ha of new industrial and warehousing land in the city other than at Avonmouth. It recommends that consideration be given to allocating 20ha east of the Brislington Park and Ride site and 5ha adjoining the Nover's Hill and Vale Lane PIWA (whilst noting some constraints in this area).

4.2 The only steer for new industrial and employment land given in the Core Strategy (BCS1/BCS8) is 5-10ha at Nover's Hill/Vale Lane. On what evidence is it considered that there is capacity for possibly 10ha in this location, given the cautious approach in the ELS to only 5ha. Have the allocations of new employment land in the adopted local plan adjoining these PIWAs been implemented? What is the size of these allocations? If not implemented in the past 12 years, does this suggest some constraint or lack of market interest? Please provide a plan (based on the Proposals Map) showing indicatively the area of land (or broader area of search) that might be involved.

4.3 The Council's Preferred Options (January 2008) suggested in policy BCS01 the provision of 24.5ha of new industrial and employment land in South Bristol (which included Brislington). The Preferred Options Review (February 2009) also suggested the provision of 24.5ha for new industrial and employment land (15ha at Brislington P & R and 5-10ha at Nover's Hill/Vale Lane PIWAs). Paragraphs 4.8.13 -4.8.15 of the Core Strategy comment on new employment land, but do not explain why the recommendations of the ELS have not been followed through. The Council has not previously indicated that the recommendations in the ELS are disputed and has used them to inform emerging policy. I recognise that existing industrial premises may well be redeveloped for new employment purposes (and suitably located sites may well be redeveloped to provide a more intensive employment use such as offices). But I do not see how the redevelopment of existing premises within PIWAs can be regarded as meeting the need for new industrial and warehousing land as recommended in the study.

4.4 I have other concerns about the employment strategy. Despite the date of its publication, the ELS is based on work undertaken in 2006/7. A number of representations express concern that some of its assumptions are out of date,

especially in relation to the availability of land at Avonmouth. I will need to explore this at the hearings, but I encourage the Council to discuss this matter with key stakeholders. The Bristol Business Development Survey Report (2009) refers (p11) to a boom in recent years in the industrial/warehousing sector related to the construction of large scale storage and distribution facilities in Avonmouth, leading to a significant decrease in the pipeline stock of such sites. Fig 3 shows that in 2007/8 and 2008/9, 29ha and 23ha respectively of land for industry and warehousing were completed, much more than in any of the previous 5 years (which I assume are the years underpinning the ELS). ***I invite the Council to explain*** how this recent spurt in development and reduction in the pipeline supply (and any more recent evidence relating to 2009/10) corresponds with the assumptions made in the ELS about the adequacy of provision at Avonmouth and more generally the need for further land for industry and warehousing.

4.5 Policy BCS8 indicates intended provision of new office space as follows: 150,000m<sup>2</sup> in the city centre, 50,000m<sup>2</sup> in South Bristol (also stated in BCS1) and 36,000m<sup>2</sup> distributed amongst town, district and local centres across the city. *Does the latter mean those centres outside South Bristol?* If this is the intention the policy wording would need to be changed to be clear. Table 3 in the Business Survey Report indicates planning commitments which nearly equate to this total (although the breakdown is by local plan areas rather than the Core Strategy policy areas and thus area sub-totals cannot be compared). Does this mean that the intended office provision is largely met by existing commitments?

4.6 South Bristol covers a large part of the City. I am concerned that BCS1/BCS8 provide little real steer as to where this 50,000m<sup>2</sup> of new office space should be accommodated (in so far as it is not suitably met from existing commitments) leaving an uncertain task for the allocations DPD. This uncertainty is exacerbated by the indication in BCS1 that a new centre (either on a new site or at an enhanced existing centre) may be appropriate in South Bristol. The location of offices should be related to the most accessible locations and any new centre would be an important factor. 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. The Council should give further thought to how a greater spatial steer might be introduced in relation to office provision in South Bristol and what clarity could be given about the need for and potential location of a new centre.

4.7 My third concern in relation to economic development is the potential implications of the loss of part of the St Phillip's Marsh PIWA to town centre uses and residential. (BCS1 proposes the extension of the town centre into this area north of the Feeder Canal and SHLAA site SH0033 has a notional capacity of 500 units.). The ELS indicates that the St Phillips Marsh PIWA (0019 p13) should continue to be safeguarded for industrial and warehousing purposes. The town centre/residential proposal would result in some existing industrial warehousing land being lost. *What consideration has the Council given to such losses for the success of the economic strategy?*

4.8 Some representations express concern about the likely loss of rail maintenance depots, train stabling and sidings in the Temple Quay/St Phillip's Marsh Area from new development and the potential implications for the effective operation of increased rail services in the Bristol area (which are part of the overall transport strategy). What consideration has the Council given to the implications of such potential losses?

## **5. Finally...**

5.1 This note indicates that I have potentially significant concerns about the housing and employment elements of the Core Strategy (and I have yet to look closely at other key policy areas). My present intention is to proceed with the Pre-Hearing Meeting on 11 May and Hearings in the 2<sup>nd</sup> part of June (as previously indicated) so that I can properly explore the inter-relationship between these and other areas. Any significant changes needed to remedy any unsoundness would emerge as a result of the hearings and require further public consultation. This would delay the finalisation of my report.

5.2 If my questions and comments in this note alert the Council to the need for further evidence gathering or a pause for any other reason, please indicate this to me. There would be the possibility of converting the planned Pre Hearing Meeting to an Exploratory Meeting to discuss how the Examination might best proceed. Reasonable notice of such a change would need to be given to all parties. In response to any request from the Council, I would need to decide if this was an appropriate and necessary step on Monday **26 April** 2010.

**Simon Emerson**  
**Inspector**  
**16 April 2010**