



The Planning Inspectorate

Report to Bristol City Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO THE BRISTOL SITE ALLOCATIONS AND
DEVELOPMENT MANAGEMENT POLICIES**

LOCAL PLAN

Document submitted for examination on 12 July 2013

Examination hearings held between 19 and 28 November 2013

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ABBREVIATIONS USED IN REPORT

Core documents (referenced in parentheses in the text) are prefixed by the letters SAE. Proposed site allocation are prefixed by the letters BSA

AA	Appropriate Assessment
BCC	Bristol City Council
ha	Hectare
LDS	Local Development Scheme
MM	Main modification
NPPF	National Planning Policy Framework
Para	Paragraph
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
sq m	Square metres

Non-Technical Summary

This report concludes that the Bristol Site Allocations and Development Management Policies Local Plan provides an appropriate basis for the planning of the city over the next 12 years providing a number of modifications are made to the Plan. Bristol City Council has specifically requested me to recommend modifications necessary to enable the Plan to be adopted. All of the modifications to address this were proposed by the Council and I have recommended their inclusion after considering the representations from other parties on these issues.

The modifications can be summarised as follows:

- amendments to the text and Policies DM18 and DM19 to ensure that likely significant effects on the Severn Estuary Special Protection Area are precluded;
- clarification of the scope of the proposed strategic housing review;
- commitment to a review of land needed for economic development and of the approach to the Avonmouth and Bristol Port areas;
- clarification of provisions relating to residential sub-divisions, shared and specialist housing; protection of community facilities; public houses; shopping areas and frontages; food and drink uses and the evening economy; retaining valuable employment sites; transport development management; safeguarding of rail infrastructure; design of new buildings; and heritage assets;
- use of different affordable housing targets on smaller sites;
- variation of the provisions relating to minerals safeguarding and the prior extraction of minerals;
- amendment of the proposed Important Open Space designation boundaries at Cote House Lane and Cote Lane, Westbury on Trym; the Bush Centre, Hengrove; land at Cotham School, Cotham; land off Ermine Way, Shirehampton; Blackberry Hill Hospital, Fishponds; Wesley College site, Westbury on Trym; and St Matthias Campus, Fishponds;
- deletion of proposed allocation BSA0107: Land to the rear of Ridingleaze, Lawrence Weston;
- addition of a new residential allocation: Land off Ermine Way, Shirehampton;
- variation of the boundary of proposed site allocations BSA0302: Land at Coombe House Elderly Persons' Home, Westbury on Trym and BSA0501: Blackberry Hill Hospital, Fishponds; and
- a change to the development considerations concerning land at former Elizabeth Shaw Factory, Easton (BSA0805) and the site of former City of Bristol College, Hartcliffe (BSA1301).

Introduction

1. This report contains my assessment of the Bristol Site Allocations and Development Management Policies Local Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF - SAE 50 NP 1, Paragraph 182) makes clear that, to be sound, a Local Plan should be positively prepared; justified; effective; and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the Publication Version of the Plan dating from March 2013 (SAE 1 SU 1).¹ This is the document upon which consultation took place between 22 March and 10 May 2013.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with Section 20(7C) of the 2004 Act, the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix. The Council also proposed a number of additional modifications which do not materially affect the policies of the Plan. As these additional modifications do not go to the soundness or legal compliance of the Plan, no consideration of them is included in this report.
4. The main modifications that are necessary for soundness and legal compliance all relate to matters that were discussed at the examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and up-dated the Sustainability Appraisal (SA).² The schedule has been subject to public consultations for seven weeks. I have taken account of the consultation responses in coming to my conclusions in this report. At the suggestion of the Council, the wording of two of the proposed main modifications has been slightly changed.³ The wording of one further main modification has been changed in order to refer to the latest planning guidance.⁴

Assessment of Duty to Co-operate

5. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by Section 33A of the 2004 Act in relation to the Plan's preparation. Section 33A requires constructive, active and ongoing engagement with local authorities and a variety of prescribed bodies in order to maximise the effectiveness of plan preparation.

¹ Accompanied by Annex: Site Allocations Information (SAE 3 SU 3) and Policies Map (SAE 2 SU 2)

² See "Sustainability Appraisal Update Note", January 2014; also "Habitat Directive (sic) – Screening Determination Overview Note", January 2014

³ See MM7 and MM36. No material implications stem from these changes.

⁴ See MM46, up-dated to refer to the latest Government planning guidance on hydrocarbon extraction

6. The way in which the duty to co-operate was met is documented in the paper "Soundness, Legal and Procedural Requirements";⁵ also in the note "BCC response to Inspector's request for further information on the duty to co-operate" (SAE 110 CS 01a).
7. The Council has carried out consultation with all relevant public bodies and other duty to co-operate bodies. In the main, this has involved consultation at the three main preparatory stages of the Plan. In addition, there have been regular meetings with planning policy officers of the neighbouring local planning authorities. Meetings were also held with bodies such as the Environment Agency and Natural England in order to address matters of particular interest.
8. It is relevant that the West of England Partnership (Bath and North East Somerset, Bristol City, North Somerset and South Gloucestershire Councils) has produced a duty to co-operate schedule (SAE 111 SD 31). The schedule provides a framework for ensuring effective co-operation throughout the plan-making process. It aims to ensure that strategic issues are concisely and consistently recorded, regularly monitored and up-dated and reported through each authority's monitoring reports. The schedule is a living document that records how the Partnership authorities are meeting the duty to co-operate.
9. I conclude that Bristol City Council has worked collaboratively with other authorities and bodies and has co-operated effectively through a continuous period of engagement. The Local Planning Authority has fulfilled the duty to co-operate with regard to the Site Allocations and Development Management Policies Local Plan.

Assessment of Legal Compliance

10. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that, with recommended main modifications, the Plan meets them all. In this regard, modifications are necessary to ensure that the Plan is consistent with the findings of the Habitats Regulations Assessment.
11. The Habitat Regulation (sic) Assessment: Screening Paper (SAE 14 FD 5) came to the conclusion that Appropriate Assessment would not be necessary. In the light of this conclusion the comments of Natural England were sought. However, Natural England had concerns about the wording of two policies – Policy DM18: Avonmouth and Kingsweston Levels; and Policy DM19: Development and Nature Conservation.
12. I recommend that, in accordance with the discussions with Natural England,⁶ main modifications (**MM24 to MM29**) should be made. With these modifications in place, it would be reasonable to conclude that the Site Allocations and Development Management Policies Local Plan would not result in a likely significant effect on the Severn Estuary Special Protection Area and that related legal requirements would be met.⁷

⁵ SAE 11 FD 2, Paras 1.4 to 1.6

⁶ See letter dated 16 October 2013 from Natural England as appended to document SAE 64 CS 01

⁷ This recommendation is not affected by the conclusions in the "Habitat Directive (sic) – Screening Determination Overview Note", January 2014

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan is identified within the approved LDS April 2013 which sets out an expected adoption date of Spring 2014. The Local Plan's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in October 2008 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed "main modification" changes (MM).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations Screening Paper July 2013, read in conjunction with Natural England's letter of 16 October 2013, indicates why AA is not necessary.
National Policy	The Local Plan complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act (as amended) and 2012 Regulations	The Local Plan complies with the Act and the Regulations.

Assessment of Soundness

Preamble

13. The content of the Bristol Site Allocations and Development Management Policies Local Plan is self explanatory. It has been prepared pursuant to the Bristol Core Strategy which was adopted in June 2011. Minerals matters are included but not waste matters.⁸ What the Plan does *not* do is to deal with the Central Area of the city or with the needs of gypsies and travellers (see below). As envisaged in the Local Development Scheme (SAE 43 RE 1) these are matters that will be dealt with in forthcoming development plan documents.
14. In carrying out the examination, regard has been paid to national policy principally in the form of the National Planning Policy Framework. Consideration has also been given to policy that was published after submission of the Plan. This has included "Planning practice guidance on renewable and low carbon energy" (SAE 51 NP 2) and "Planning practice guidance on onshore oil and gas" (SAE 53 NP 4), both published by the Department for Communities and Local Government in July 2013.⁹

⁸ Waste matters are dealt with in the West of England Partnership's Joint Waste Core Strategy

⁹ Both of these documents were cancelled upon the publication of National Planning Practice Guidance (referred to in this report as "planning guidance") on 6 March 2014. In respect of hydrocarbons, and with regard to the examination of this local plan, there are no significant differences between the versions of the guidance.

15. Amongst draft guidance to which consideration has been given is the document "Updated national waste planning policy: Planning for sustainable waste management" (SAE 52 NP 3) and the consultation version of "National Planning Practice Guidance" (SAE 62 NP 11).¹⁰ Representors have had the opportunity to comment on all these new and draft documents.
16. One of the key provisions of the National Planning Policy Framework is that plans should be "positively prepared". In this regard, the role of the Plan is to assist in the delivery of the assessed needs for development as set out in the Core Strategy. Appendix 4 of the Plan summarises how these needs are being delivered through the Site Allocations and Development Management Policies Local Plan.
17. For my part, I find that the Plan has been positively prepared and is sound in this regard. The focus of the Plan is the allocation of deliverable sites that will meet the development requirements of the Core Strategy. There are over 80 specific opportunities for development in site allocations. In addition, the Plan contains a policy (Policy DPM1) on the presumption in favour of sustainable development.
18. It is important to note that the Core Strategy was adopted before the National Planning Policy Framework was published. However, the Core Strategy includes provisions to carry out a strategic housing review at an early date.
19. The principal compliance point is that the Core Strategy pre-dates the National Planning Policy Framework and the approaches that it takes to housing provision. The Site Allocations and Development Management Policies Local Plan aims to meet the needs identified in the Core Strategy. Provision to meet the needs of the wider housing market area will be addressed at the time of the strategic review.

Main Issues

20. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified five main issues upon which the soundness of the Plan depends. The following analysis addresses what I consider to be the principal important controversial matters. It should be noted that many concerns raised in representations have been accommodated in additional modifications proposed by the City Council.

Issue 1 – Whether strategic matters determined by the Core Strategy are addressed appropriately

Issue 2 - Whether there would be an adequate supply of land for housing, industry and warehousing, mixed uses and retail development

21. The Core Strategy addresses a number of key topics where provision is to be made in the Site Allocations and Development Management Policies Local Plan. These include housing; centres; offices; industry and warehousing; and key public services and infrastructure.

¹⁰ The final version of planning guidance was published on 6 March 2014. However, with regard to the examination of this local plan, there are no new significant implications.

Housing

22. Core Strategy Policy BCS5 envisages the provision of 30,600 new homes in Bristol between 2006 and 2026. Of these, 8,000 are envisaged in South Bristol (Policy BCS1), 2,000 in the Inner East (Policy BCS3), 3,000 in the Northern Arc (Policy BSC3) and 6,000 in the rest of Bristol (not including the City Centre) – Policy BCS5. The estimated dwelling supply for the city between 2006 and 2026 is detailed in the paper "BCC response to Inspector's issues and questions – Strategic Matters".¹¹ I am satisfied that the proposed dwelling supply is consistent with the spatial distribution and quantitative provision envisaged in the Core Strategy.
23. As noted above, there is to be a strategic review of housing provision. The commitment is to fully review the position within 5 years of the adoption of the Core Strategy (by June 2016).¹²
24. To accord with the National Planning Policy Framework, the review should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.¹³ This matter should be made clear within the Site Allocations and Development Management Policies Local Plan. This commitment would be effected under main modification **MM1**. With this modification in place, there would be accordance with related aspects of national policy.
25. Core Strategy Policy BCS5 also contains a contingency for the development of new homes. This would be triggered if monitoring shows that planned provision will not be delivered at the levels expected or if land is required to accommodate higher levels of provision. Use of Green Belt land, including land in southeast Bristol, would be considered.
26. On the first of these "tests", the evidence indicates that provision would be delivered at the levels expected including over the next five years.¹⁴ With regard to the second test, and to meet the on-going needs of the appropriate housing market area, there is provision in the Core Strategy for review of the appropriate level of new homes within five years of its adoption. This strategic review of housing provision is referred to above.
27. With regard to Green Belt land in southeast Bristol, I do not find that any unnecessary uncertainty would be created by its non-allocation. The position remains as signalled in the Core Strategy including indication of the broad location of the contingency development site on the Key Diagram. Bearing in mind the commitment to a strategic housing review by June 2016, it would be inappropriate to allocate at present, for housing development, the contingency housing site at southeast Bristol.
28. There remains the matter of provision for gypsies and travellers. It is important to ensure that objectively assessed needs are being addressed without delay. This would normally be undertaken as an integral part of the Local Plan. In the present case, the Local Development Scheme (SAE 43 RE

¹¹ SAE 67 CS 04, Table 1

¹² SAE 16 SD 1, Para 4.5.16

¹³ National Planning Policy Framework (SAE 50 NP 1), Para 50

¹⁴ See Soundness, Legal and Procedural Requirements (SAE 11 FD 2), Appendix 1; also Five Year Housing Land Supply 2012-2017 report (SAE 23 SD 8)

1) identifies a separate "Gypsies & Travellers and Travelling Showpeoples sites" development plan document. This is scheduled for adoption in the summer of 2015.

29. From discussion at the examination hearings, it is clear that the preparation of this plan is underway in accordance with the timetable in the Local Development Scheme. No delay is envisaged. In this circumstance, I consider that it would be unreasonable to delay adoption of the Site Allocations and Development Management Policies Local Plan for want of a comprehensive local plan.

Centres

30. Core Strategy Policy BCS1 refers to a possible new centre to serve the Knowle West area. In this regard, several allocations (BSA1120, BSA1122 and BSA1123) are contained within the Plan. Of these, BSA1120 proposes an allocation for retail, business and housing. There is an expectation that 1,000 sq m (net) of convenience floorspace would be included. Business, retail and housing uses would also be brought forward under BSA1122. A housing allocation is advocated under BSA1123. Related aspects of the Core Strategy would be delivered under the provisions of the Plan. The Plan is sound in this regard.

Offices

31. Core Strategy Policy BCS1 also seeks the provision of around 60,000 sq m net of additional office floorspace in South Bristol. This is to be focussed on the centres in the major regeneration areas.
32. There are several proposed allocations within the major regeneration areas, allocations that propose business use (including offices) as part of mixed-use developments. In addition, the Plan delineates the boundaries of town, district and local centres. Office uses would be acceptable in principle within these centres.
33. The proposed allocations do not specify the amount of office floorspace that might be expected. Nevertheless, I am satisfied that there are plenty of opportunities to develop additional floorspace in accordance with the provisions of the Core Strategy.

Industry and Warehousing

34. Under Core Strategy Policy BCS1, the mix of uses in South Bristol is to include up to 10 ha of new industrial and warehousing land focussed on the major regeneration areas. Provision elsewhere is not anticipated. In response, two allocations have been made either in or adjacent to the Knowle West regeneration area. These are sites BSA1119 and BSA1305. Together these sites cover an area of 1.7ha.
35. The Council considers that the allocations are an appropriate response to the Core Strategy target. Attention is drawn to continuing difficult economic conditions since 2009; also to increased vacancy rates in units on some of the city's industrial estates. Making more efficient use of the city's existing stock

together with limited new greenfield allocations is seen, by the Council, as the way forward.

36. The Council further argues that the ability to allocate new greenfield sites for industrial and warehousing development is extremely restricted given the built-up nature of Bristol and the need to meet other important Local Plan objectives. However, this is nothing new. It is a point recognised in the Core Strategy¹⁵ when the target of 10 ha was set; and yet only 17% of that target is now deemed to be deliverable.
37. I find the proposed provision to be very unsatisfactory. I accept that there are competing demands for land. However, this is a time when difficult decisions have to be made. The Council's approach may be acceptable in the short time whilst economic conditions are depressed; but upon a return to the economic conditions of the time when the Core Strategy was being formulated, there would be higher expectations.
38. The Plan has also been criticised for failing to recognise and respond to the demand for industrial and warehousing land in the vicinity of the Severn Estuary and the Port of Bristol. Whilst this is not a particular commitment of the Core Strategy, the commercial pressures in this area and the minimal provision in South Bristol are indicative of the need for a strategic review of the supply of land for industry and warehousing.
39. In this regard, main modification **MM1** needs to be written into the Plan (assessment of land needed for economic development / review of the approach to the Avonmouth and Bristol Port area). This modification is needed in order to ensure that the Plan is effective in the medium to long term.
40. In making this recommendation, I appreciate that representors have proposed an allocation for industrial and warehousing purposes at Hicks Gate in southeast Bristol. However, this is an area within the Green Belt. I consider that, given the recommended strategic review within a comparatively short period of time of land needed for economic development (Para 39 above), it would be premature to commit to a development in the Green Belt.

Key Public Services and Infrastructure

41. Core Strategy Policy BSC1 indicates that development in South Bristol will be supported by a range of improvements to key public services and infrastructure. These will include provision of a community hospital, skills academy, Healthplex, leisure facilities and outdoor recreation located at Hengrove Park. Several of these facilities have already been provided. The City of Bristol College Skills Academy opened in September 2010; the Hengrove Park Leisure Centre (formerly known as the Healthplex) opened in February 2012; and the South Bristol Community Hospital opened in March 2012.
42. Provision in accordance with the Core Strategy would be completed through proposed allocation BSA1401: Hengrove Park. The allocation is for housing, offices and open space in a large high quality park. It is expected that the

¹⁵ SAE 16 SD 1, Para 4.8.14

park would be large enough to accommodate areas of formal open space and sport pitches with the option of a large events space.

Issue 3 - Whether the development management policies accord with the provisions of the Core Strategy, are proportionate and appropriately reflect national policy

Housing and Community Facilities

Residential Sub-divisions, Shared and Specialist Housing

43. Plan Policy DM2 deals with residential sub-divisions, shared housing and specialist housing. However, the effectiveness and deliverability of the policy is questionable in a number of respects:
- Development that would create or contribute to a harmful concentration of the above uses will not be permitted. However, the term "harmful concentration" is not defined.
 - In assessing existing and likely future conditions, it is unclear what analysis should be undertaken.
 - Specialist student housing is deemed to be acceptable within the city centre. However, there is no map showing the area to which this provision would apply.
44. To make the Plan sound in these respects, a number of main modifications are necessary. These are main modifications **MM2, MM3 and MM4**.

Affordable Housing Provision: Smaller Sites

45. Policy DM3 is concerned with affordable housing on sites that would yield 10 to 14 dwellings. A target of 20% affordable housing provision is to be sought through negotiation across all areas of the city. However, the evidence does not support this level of provision in all parts of Bristol. In particular, under "2009 market conditions", 20% provision would only be economically viable in 23% of cases in North West, East and North Bristol. Even under the more buoyant circumstances of 2007, viability would only be assured in between 45% (Bristol East and Bristol North) and 88% of cases (Bristol North West).
46. In order for the Plan to be justified, Policy DM3 should be varied to reflect the evidence base. In this regard, 10% affordable housing provision should be sought in North West, East and North Bristol. Provision at a target of 20% would be appropriate elsewhere. The necessary changes to the policy and to the supporting text are contained in main modifications **MM5 and MM6**. Lower levels of provision may still be appropriate where viability considerations dictate.

Protection of Community Facilities

47. The protection of community facilities is addressed in Policy DM5. However, there are two areas where the effectiveness and deliverability of the policy are at fault:

- The policy mistakenly indicates that both an absence of shortfall *and* absence of need or demand could be relevant in assessing loss.
- There is nothing to indicate what would constitute "adequate marketing".

48. In order to make the Plan sound, two related modifications are recommended. These are main modifications **MM7 and MM8**.

Public Houses

49. A further matter in respect of housing and community facilities concerns public houses (Policy DM8). Where loss of an established pub is proposed, applicants will need to provide evidence clearly showing that the pub is no longer economically viable. Viability assessments will be submitted, by the council, for independent validations. All the council's costs for the validation process are to be met by the developer.
50. Whilst meeting any reasonable costs would be an appropriate response, automatic and unquestionable payment of all the council's expenses could be seen as disproportionate and contrary to the provisions of the National Planning Policy Framework. An appropriate qualification should be made as proposed under main modification **MM9**.

Centres

Shopping Areas and Frontages

51. Policy DM10 on shopping areas and frontages deals with the definition of Primary and Secondary Shopping Frontages. Primary Shopping Frontages are defined at all centres. Secondary Shopping Frontages are defined at the city's town and district centres. However, the Policies Map shows a Secondary Shopping Frontage at Lawrence Hill Local Centre and the related policy provisions would be applied to this area. This is a mistake, is inconsistent with the provisions for centres elsewhere and is not supported by the evidence. To achieve soundness, main modification **MM10** is recommended.

Food and Drink Uses and the Evening Economy

52. There are two aspects of Policy DM10 (Food and Drink Uses and the Evening Economy) where the effectiveness and deliverability of the policy are in doubt:
- There is no reference to public transport as a matter to be taken into account when assessing the impact of food and drink proposals.
 - There is no definition of what would constitute a harmful concentration of food and drink uses.
53. In order to achieve soundness, the Plan should be changed in accordance with main modifications **MM11 and MM12**.

Employment

Retaining Valuable Employment Sites

54. The Core Strategy states that employment sites, premises and floorspace outside the city's Principal Industrial and Warehousing Areas will be retained where they make a valuable contribution to the economy and employment opportunities. Policy DM12 gives effect to these provisions. However, there is little insight into the reasoning behind the policy and the objectives against which application of the policy can be judged.
55. In order to make the Plan effective and deliverable, there should be a fuller explanation of the justification for the policy. Paragraph 2.12.1 of the Plan should be changed as set out in main modification **MM13**.
56. There is a further aspect of Policy DM12 that needs to be addressed. At present, the policy states that employment sites should be retained for employment use unless any one of three exceptions can be demonstrated. However, there is no reference to the environmental quality of the surrounding area. In this regard, the evidence indicates that, in circumstances where environmental harm is being caused by an on-going employment use, the extinguishment of the use could be justified.
57. To make the Plan sound, a number of changes are required. These are a change to Policy DM12 itself; to Paragraphs 2.12.3 and 2.12.5 in the supporting text; and to the Application Information. The respective main modifications are **MM14, MM15, MM16 and MM17**.

Transport

Transport Development Management

58. Plan Policy DM23 deals with transport development management. However, there is no reference to designs which would secure low vehicle speeds. As such, the effectiveness and deliverability of the policy cannot be assured. To address this shortcoming, it is proposed to add a related reference to the policy. A new Paragraph 2.23.2A would also be added by way of explanation. Main modifications **MM30 and MM32** refer.
59. A further provision of Policy DM23 is the application of parking standards in accordance with Appendix 2 of the Plan. These include standards for cycle parking at residential premises. In respect of houses, "adequate and accessible storage space" is sought. For flats / maisonettes the requirement is for one space per unit.
60. Under Core Strategy Policy BCS10, cyclists are identified as a high transport user priority. In recognition of this priority, and to achieve secure and convenient provision, the cycle parking standards need to be strengthened. This would be achieved under main modification **MM49**.
61. On the matter of public rights of way, Paragraph 75 of the National Planning Policy Framework states that planning policies should protect and enhance public rights of way and access. However, such provisions are absent from the Plan. In order to be consistent with national policy, two additions are

necessary. These are an addition to Policy DM23 (**MM31**) and the inclusion of a new explanatory paragraph (**MM33**).

Transport Schemes

62. Under Policy DM24 a number of transport schemes are listed. These are schemes that will be safeguarded to enable their future provision. They include rail links at Chittening Industrial Estate and the M32 Park and Ride scheme.

Rail links at Chittening Industrial Estate

63. The rail infrastructure proposed for safeguarding at Chittening Industrial Estate includes two spurs. One extends generally in a north-northeasterly direction. The other runs roughly east to west. The evidence before the examination does not support the safeguarding of the whole of the east-west spur. The eastern part of the track has been built over. Under main modification **MM34**, the affected part of the alignment would be deleted.

M32 Park and Ride

64. The proposed safeguarding of the M32 park and ride scheme was the subject of a significant number of representations and appearances at the examination hearings. The general plan for a park and ride scheme serving the M32 was not widely disputed. However, the site to be safeguarded was challenged bearing in mind that the depiction of the site on the Policies Map accompanying the Site Allocations and Development Management Policies Local Plan is the first identification in this sort of public document.
65. The site as identified is challenged on a number of grounds. These include conflict with the Core Strategy (overarching vision / spatial vision and objectives); conflict with housing proposals in the north Bristol fringe; absence of support from South Gloucestershire Council; effect on Grade 1 agricultural land;¹⁶ and conflict with the Green Belt.
66. On a preliminary point, I would say that none of these grounds are necessarily of overriding importance. For example:
- The scheme and its safeguarding have explicit support in the Core Strategy.¹⁷
 - South Gloucestershire Council has not made any representations regarding the scheme or potential conflict with future housing proposals.
 - There is no automatic bar on the use of the best and most versatile agricultural land.¹⁸
 - Local transport infrastructure in the Green Belt is "not inappropriate" in certain circumstances.¹⁹

¹⁶ The agricultural land classification was the subject of dispute (unresolved) at the examination hearings

¹⁷ SAE 16 SD 1, Policy BCS10

¹⁸ National Planning Policy Framework (SAE 50 NP 1), Para 112

¹⁹ National Planning Policy Framework (SAE 50 NP 1), Para 90

67. In any event, these are all matters that would need to be considered at the planning application stage and dealt with, as appropriate, in any environmental impact assessment. Neither the Core Strategy nor the Site Allocations and Development Management Policies Local Plan convey any sort of development consent. The safeguarded scheme would still need to gain planning permission in the normal way.
68. To my mind, the M32 park and ride scheme is an important and credible proposal that is at a relatively advanced stage in its planning. The scheme is included in the latest Joint Local Transport Plan of the West of England Partnership (SAE 21 SD 6). A related bid was include in the Partnership's "best and final bids" for funding from the Department of Transport in September 2011.²⁰ It is a scheme to which the City Council should have regard in the preparation of local development documents.²¹ It is also a scheme of a type the protection of which is envisaged in national policy.²²
69. I appreciate that, in the Key Diagram to the Core Strategy, the location of the scheme is "to be determined". Representors have referred to this qualification in support of their arguments that the park and ride need not be within Bristol. Nevertheless, it appears to me that the site now shown on the submission Policies Map represents the latest thinking of the competent authorities. In the interests of good planning, and until location and other matters are resolved through the medium of a planning application, the site should be safeguarded as proposed by the Council. The Plan is sound in this regard.

Design

Design of New Buildings

70. Policy DM29 on the design of new buildings includes provisions relating to shopfronts, signage and external installations. However, there is no reference to the need for external signage to be appropriate in longer distance views. This undermines the effectiveness and deliverability of the policy. Main modification **MM35** is recommended in order to make the Plan sound.

Heritage Assets

71. Conserving and enhancing the historic environment is dealt with in Section 12 of the National Planning Policy Framework. However, there are a number of instances where the wording in the Bristol Site Allocations and Development Management Policies Local Plan should reflect more closely the terminology used in national policy. The instance are in regard to:
- the weight to be given to the conservation of heritage assets;
 - inappropriate reference to reducing the harm to heritage assets to an acceptable minimum;
 - conserving and, where appropriate, enhancing the significance of heritage assets and their setting; and

²⁰ Dedicated bus-only junction from the proposed park and ride site onto the M32

²¹ Planning and Compulsory Purchase Act 2004, Section 19(2)(j)

²² National Planning Policy Framework (SAE 50 NP 1), Para 41

- adding reference to archaeology, listed buildings, Conservation Areas, Registered Historic Parks and Gardens and locally important heritage assets including locally listed historic parks and gardens.

72. To be consistent with national policy, a number of main modifications are recommended. These relate to Policy DM31 (**MM38**) and to Paragraphs 2.31.1, 2.31.3 and 2.31.5 (**MM36, MM37 and MM39**).

Utilities and Minerals

Minerals Safeguarding Areas and Prior Extraction

73. The National Planning Policy Framework (SAE 50 NP 1, Para 143) contains two important provisions with regard to Minerals Safeguarding Areas and prior extraction of minerals. Local planning authorities are expected to define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals of local and national importance are not needlessly sterilised. Policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, should also be set out.

74. In the Bristol area, these provisions are relevant to the presence of shallow coal resources covering much of the eastern part of the city (and a small area in the southwest). However, under the Plan provisions, only three areas in southeast Bristol are designated as Minerals Safeguarding Areas. Related matters are the legitimacy of this provision; whether wider areas of the city should be subject to minerals safeguarding; and whether the matter of prior extraction is adequately addressed.

Minerals Safeguarding Areas in southeast Bristol

75. Policy BCS5 of the Core Strategy makes provision for a contingency housing site in southeast Bristol. The site would be considered if planned provision is not being delivered at the levels expected or if land is required to accommodate higher levels of provision. The broad location of the contingency site is shown on the Key Diagram. The location coincides with land that would be affected by the minerals safeguarding provisions.

76. There is concern that the policy on minerals safeguarding (Policy DM38) is unduly onerous and would prejudice the delivery of the planned contingency housing site. I do not share this concern. First of all, the Council has demonstrated the availability of land to meet a five-year housing supply of housing; the contingency site is not needed in the immediate future. Secondly, the requirements of the policy are typical of such situations and are not unreasonable.

77. Under the terms of Policy DM38, planning permission that would lead to the unnecessary sterilisation of surface coal resources would not be granted. This is in line with the National Planning Policy Framework at Paragraph 143. There are two relevant exceptions under the Plan. There can be a demonstration that the resource is not of economic value. It is also necessary that the resource can be extracted without unacceptable amenity and environmental impacts.

78. I consider that, to accord with national policy, the policy should use the wording of Paragraph 143 of the National Planning Policy Framework. Extraction should be supported "where practicable and environmentally feasible". Main modifications **MM41 and MM44** are necessary. In addition, it should be made clear that the provisions are related to the surface coal deposits identified in that area (**MM40**).
79. I can see that the necessary investigations and the possibility of prior extraction are hurdles that a prospective developer would prefer to avoid. Nevertheless, in line with national policy, it is important that minerals of local and national importance are not needlessly sterilised. I find that the Plan is sound in this regard.

Minerals Safeguarding in eastern Bristol

80. Having decided that land in southeast Bristol should be the subject of minerals safeguarding, it is appropriate to consider whether identical or similar provisions should apply to the remainder of eastern Bristol that is underlain by shallow coal deposits. In this regard, I am aware that the urban areas of many towns and cities in the country are covered by minerals safeguarding policies. In addition, the guidance contained in the document "Mineral safeguarding in England: good practice advice"²³ supports safeguarding of the whole resource.²⁴
81. I consider that, in Bristol, it is necessary to take a pragmatic approach. Bristol is not an area where there is any recent history of shallow coal working or prior extraction. There is no evidence to suggest that schemes are likely to come forward in the Plan period. More particularly, and in contrast with the area to be safeguarded in southeast Bristol, the remainder of the resource largely coincides with the intensively built-up areas of the city where there are some 32,500 homes and numerous business and other urban uses.
82. Most areas in eastern Bristol are tightly constrained and sterilisation in the form of existing development has already occurred. It makes little sense to actively require applicants to investigate the economic value of the coal resource at potential development sites and to consider whether extraction would be practicable and environmentally feasible. This would also run counter to the pro-active stance to development and economic activity that the Council is keen to foster. In my opinion, the related provisions of the Plan are sound and are consistent with planning guidance.

Prior Extraction

83. As indicated above, Paragraph 143 of the National Planning Policy Framework looks to local planning authorities to set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-minerals development to take place. However, this is not a matter that is adequately addressed in the Site Allocations and Development

²³ British Geological Survey and the Coal Authority Open Report OR/11/046, Para 4.2.3

²⁴ The Government's national guidance, effective from 6 March 2013, now addresses this matter (section on Minerals Safeguarding, Para 004). Safeguarding should be defined in urban areas "...where necessary to do so. For example, safeguarding of minerals beneath large regeneration projects in brownfield land areas can enable suitable use of the mineral and and (sic) stabilisation of any potentially unstable land before any non-minerals development takes place."

Management Policies Local Plan. The Plan would not be consistent with national policy.

84. Prior extraction within the Minerals Safeguarding Areas would be considered under the terms of Policy DM38. However, prior extraction outside such areas is not addressed in the Plan. In order to meet the requirement of national policy, there needs to be encouragement of the prior extraction of minerals in the Coal Resource Area lying outside the Minerals Safeguarding Areas.
85. This matter is addressed in main modifications **MM41, MM42 and MM43**. It would be stated in Policy DM38 that, within the Coal Resource Area outside the designated Minerals Safeguarding Areas, the prior extraction of surface coal on development sites of 1 ha or more will be encouraged where it is practicable and environmentally feasible. This provision would be reflected in modifications to the supporting text.

Onshore Oil and Gas

86. Government planning guidance addresses the topic of planning for hydrocarbons in local plans.²⁵ When updating their local plans, and they are in a Petroleum Licence Area, minerals planning authorities are expected to include Petroleum Licence Areas on their policies maps; also include criteria-based policies for each of the exploration, appraisal and production phases of hydrocarbon extraction.
87. Although there are two licence areas covering parts of south Bristol, these are part of a group of licence areas that extend into North Somerset, Bath and North East Somerset and Somerset County. They are areas that have been licensed by Central Government for the exploration and extraction of oil and gas reserves although Bristol itself does not have an active oil and gas industry and it is very unlikely that associated proposals will arise within the city.
88. In the circumstances, I see no need for specific criteria-based policies for the Bristol area. However, the matter needs to be addressed in the Plan. As such, and in the unlikely event of any proposals being received, there would be a context of their consideration. I recommend (**MM45 and MM46**) that the Plan should set out an explanation of the local situation. There should be reference to the development plan, the National Planning Policy Framework and the Government's planning guidance on hydrocarbon extraction as matters to which the Council would have regard in considering any relevant proposals.

Issue 4 - Whether the proposed designations are soundly based

89. There are a number of designations the soundness of which has been questioned. These include the designations "Important Open Space", "Principal Industrial and Warehousing Areas" and "Avonmouth and Kingweston Levels". In many cases, the arguments concerning designation also involve

²⁵ Planning guidance (section on Planning for Hydrocarbon extraction, Para 106). This guidance is essentially the same as that contained in the document before the examination hearings, "Planning practice guidance for onshore oil and gas" (SAE 53 NP 4).

the question of whether the land should be allocated for some alternative purpose.

Important Open Space

90. The concept of Important Open Space is a matter trailed in the Core Strategy (SAE 16 SD 1, Policy BCS9). Open spaces which are important for recreation, leisure and community use, townscape and landscape quality and visual amenity will be protected. These provisions are given effect under Policy DM17 (Development Involving Existing Green Infrastructure) of the Site Allocations and Development Management Policies Local Plan whereby development on part, or all, of Important Open Spaces as designated on the Policies Map will not be permitted unless the development is ancillary to the open space use.
91. First of all, there are a number of instances where the designation as Important Open Spaces is not supported by the evidence on the ground. This is because part of the site proposed for designation contains built development and is not open space at all. The instances are south of Cote House Lane and south of Cote Lane, Westbury on Trym; at the Bush Centre, north of New Fosseyway Road, Hengrove; and at Cotham School, north of Cotham Road, Cotham.
92. Modifications are necessary such that the Important Open Space provisions do not apply to the parcels of land where development has taken place. In order for the Plan to be justified, main modifications **MM18, MM19 and MM20** are necessary.
93. Next, there are a number of cases where the appropriateness of the designation is debatable. This is because of differences of opinion about whether or not the proposed designation is necessary having regard to the objectives of the policy.

Land off Ermine Way, Shirehampton

94. The subject site, a former clay pit, is close to a flyover that carries the M4 motorway over the Portway dual carriageway (A4). There is limited green infrastructure in the immediate area. The site's contribution in landscape and visual amenity terms is low being characterised by long unkempt grass, random hardstandings and fly tipping. It has a low-value role for recreation and community use (for example, dog walking, access across the site, access to the backs of properties and play on hardstandings). However, the land is in private ownership.
95. Outline planning permission for the erection of 24 apartments on part of the site was granted in 2003. However, that permission has not been renewed and there is no residential allocation under the Bristol Site Allocations and Development Management Policies Local Plan.
96. In my opinion, bearing in mind the state of the site and access limitations, the designation is not justified. Nor is there any real incentive for the owner to allow public access and to improve environmental standards. Further deterioration is possible or even likely. Be that as it may, the area would benefit from open space improvements. The designation would be warranted

if the creation of Important Open Space were linked to enabling development. In the circumstance, the evidence supports a residential allocation, based on the earlier permission, together with a variation in the boundary of the proposed Important Open Space. These changes would be effected through main modifications **MM21, MM48 and MM51**.

Land at Wesley College, Westbury on Trym

97. The land in question is a former playing field east of Frances Greeves House. It is part of a wider area of open space (part within the Brentry Conservation Area) that includes Sheep Wood, stretching almost from Henbury Road in the west to Passage Road in the east. At the time of the examination hearings, the land was the subject of a planning application for 11 detached houses (since refused).
98. Whilst the wider area is unquestionably of value as Important Open Space, I do not consider that the same conclusion can be drawn in respect of the nib of land represented by the former playing field. It is private land with no public access. In my judgement, it is not important for recreation,²⁶ leisure or community use; and has no meaningful public amenity value, any benefit being essentially restricted to private residents overlooking the site. Any important landscape quality derives from the trees peripheral to the site, notably in Sheep Wood to the north.
99. Bearing in mind the open character of the Conservation Area,²⁷ I have considered the townscape quality of the site. However, townscape quality can be safeguarded without the designation of the former playing field as Important Open Space. In particular, the open character of the Conservation Area and the setting of Frances Greeves House could be addressed through the development management process.
100. To my mind, it would not be appropriate to allocate the site for residential purposes. An adequate supply of housing land throughout Bristol has been demonstrated. Although windfall developments can be anticipated, further allocations are not needed in order to make the Plan sound. However, the designation of the former playing field area as Important Open Space is not justified by the evidence. The boundary should be modified as set out under main modification **MM22** as now proposed by the Council.²⁸

Land at St Matthias Campus, College Road, Fishponds

101. Land at St Matthias Campus is a site allocated for housing with mixed uses (BSA0503) under the Site Allocations and Development Management Policies Local Plan. Representors have argued that part of the northern boundary of the site should be extended thus enabling a more successful development. The land to the north (as with much of the land to the south) is in playing field use. However, the land is also part of Oldbury Court Registered Historic Park as well as proposed Important Open Space.

²⁶ The land is no longer used as a playing field. However, the provisions of Para 74 of the National Planning Policy Framework (SAE 50 NP 1) would need to be taken into account if development was to be pursued.

²⁷ See Conservation Area Enhancement Statements (SAE 122 SD 32) November 1993, page 103

²⁸ The proposed modification would also exclude a small parcel of land (house and garden) at the western end of Ridgeway Court, the designation of which as Important Open Space is not justified.

102. During the examination, representors queried the appropriateness of the boundary of the Oldbury Court Registered Historic Park. It is not within the remit of the Local Plan to change the boundaries of national designations. This is a matter that can be pursued outside the examination. However, there remains the question of whether the land in question should be designated as Important Open Space.
103. The proposed area of Important Open Space includes much of the Oldbury Court Estate, generally to the northeast of the St Matthias Campus. The area as a whole is of undoubted importance for recreation, leisure and community use, landscape quality and visual amenity. However, to all intents and purposes, the St Matthias Campus land is visually contained by its boundary treatment. It is also at a level generally lower than the land to the northeast. It is not of central importance to the designation and its exclusion would not compromise the value of the remaining area.
104. I conclude that, in the circumstances, the extent of the proposed designation of Important Open Space at St Matthias Campus (Oldbury Park Estate) is not justified by the evidence. The boundary should be varied as set out under main modification **MM23**.

Duchess Fields, Frenchay Park Road

105. It is argued, by representors, that 4ha of land at Duchess Fields, Frenchay Park Road should be allocated for housing purposes. There is related objection to the proposed designation as Important Open Space.
106. An adequate supply of housing land throughout Bristol has been demonstrated by the Council. Further allocations are not needed in order to make the Plan sound. In any event, I perceive the land to have significant value. Although in private ownership, it is highly visible. There are attractive views across the site at an important gateway to the city, views that will be important into the future. Notwithstanding benefits that could stem from residential development, the designation as Important Open Space is fully justified.

Principal Industrial and Warehousing Areas

Land at Brook Road / Clay Hill / Crofts End, Speedwell

107. The safeguarding of Principal Industrial and Warehousing Areas is an important part of the Council's economic strategy. Although the southern part of the site at Brook Road / Clay Hill / Croft End, Speedwell has a residential context, I do not consider that a redevelopment of some sort for industrial or warehousing purposes would be unworkable (in the event that the existing premises could not be re-let). Adequate controls would be available through the development management process. In addition, I was told that there is an element of market demand in this part of Bristol. I envisage that such demand could be tapped in an appropriate scheme of redevelopment.

Site on Feeder Road on junction with Feeder Road / Newbridge Road

108. I agree that, where there is no reasonable prospect of a site being used for the allocated employment use, alternative uses of the land or buildings should be considered favourably. However, the site on Feeder Road at the junction with

Newbridge Road has an industrial setting. It is part of the large and long-established Whitby Road Principal Industrial and Warehousing Area, an area that functions well and has high occupancy rates. With adequate marketing, I would expect continuation of the use (or alternative uses permissible under Policy DM13) to be achievable. If this proved not to be the case, the loss of industrial or warehouse floorspace could be considered under Policy DM13.

Avonmouth and Kingweston Levels

Land adjacent to "Access 18", Avonmouth / Land at Crook's Marsh, Avonmouth

109. The designation Avonmouth and Kingsweston Levels includes land adjacent to "Access 18", Avonmouth and to land at Crook's Marsh, Avonmouth. Here, there are significant levels of flood risk as well as nature conservation and other planning constraints. Be that as it may, the Council recognises that if the development constraints of the wider Avonmouth and Severnside area can be addressed, the additional economic development potential is likely to be substantial.

110. The Council is working with South Gloucestershire Council to explore approaches to future flood risk management and mitigation of nature conservation impacts in the context of realising development potential. The role and extent of the Avonmouth and Kingsweston Levels is to be re-examined as part of the short-term review of strategic matters. Changes to the designation in advance of the conclusions of the work of Bristol City Council and South Gloucestershire Council would be premature.

Land adjacent to Campbell Farm Drive, Lawrence Weston

111. To my mind, the significant risk of flooding on land adjacent to Campbell Farm Drive, Lawrence Weston rules out any possibility of a residential allocation. The land is appropriately designated as part of the Avonmouth and Kingsweston Levels. In any event, and as indicated above, an adequate supply of housing land throughout Bristol has been demonstrated by the Council. Further allocations are not needed in order to make the Plan sound.

Issue 5 - Whether the allocated sites are acceptable in environmental terms and in other respects; and whether the sites are deliverable

BSA0103: Land to the west and south-west of Deering Close, Lawrence Weston

112. Land to the west and south-west of Deering Close, Lawrence Weston comprises wooded open space. Representors consider that the woodland should be protected and old trees retained. In addition, the land is perceived to have value for recreational purposes. To my mind, there are no overriding reasons why the site should not be allocated. The development consideration would ensure that trees of value would be identified and any loss mitigated. In addition, there is good access to alternative open space in this area.

BSA0107: Land to the rear of Ridingleaze, Lawrence Weston

113. The allocation of land to the rear of Ridingleaze, Lawrence Weston is not justified by the evidence. Likely changes to the context of the site stem from the allocation and likely development of the nearby former City of Bristol

College Site (BSA0102). In addition, detailed proposals are to be determined as part of a Neighbourhood Plan. The allocation should be deleted in line with main modifications **MM47 and MM50**.

BSA0302: Land at Coombe House Elderly Persons' Home, Westbury on Trym

114. I would expect all the allocated housing sites in the Site Allocations and Development Management Policies Local Plan to be "deliverable".²⁹ However, with regard to land at Coombe House Elderly Persons' Home, Westbury on Trym, a small part of the site is in a separate ownership; the owners have indicated that they do not wish to promote residential development. In order to be consistent with national policy, the boundary of the allocated site should be varied to reflect the ownership position. Main modification **MM52** refers.

BSA0501: Blackberry Hill Hospital, Manor Road, Fishponds

115. The site proposed for allocation for housing with mixed uses at Blackberry Hill Hospital, Manor Road, Fishponds includes the former hospital buildings and an area of open space to the east known as "Laundry Field". It now transpires that part of the Laundry Field is likely to be registered as a Town Green. The development proposals as set out in the Site Allocations and Development Management Policies Local Plan would not be deliverable. The Town Green area should be removed from the site allocation boundary, and designated as Important Open Space, in accordance with main modification **MM53**.

BSA0805: Land at former Elizabeth Shaw Factory, Greenbank Road, Easton

116. One of the development considerations in respect of the allocation of the site of the former Elizabeth Shaw factory states that development should retain the existing factory buildings and convert them for continued use. To my mind, this is a provision that is likely to prejudice the future delivery of development proposals in line with the allocation.

117. I am sure that, in the hearts of many locals and former employees, the former factory premises are a popular landmark. To others, this huge building is an eyesore and one that affects the living conditions of the occupiers of Co-operation Road to the north of the site and Carlyle Road to the west. The economics of converting the building are also questionable.

118. In the circumstances, a more flexible development consideration is needed as recommended in main modification **MM54**. The requirement should be to "consider the feasibility of retaining the existing factory buildings and converting them for continued use".

BSA1114: Land at Novers Hill, adjacent to industrial units

119. In the Site Allocations and Development Management Policies Local Plan, land at Novers Hill, adjacent to existing industrial units, is allocated for housing and business purposes. Questions have been raised concerning the need for further business land bearing in mind also potential access, topographical and visual problems.

²⁹ National Planning Policy Framework (SAE 50 NP 1), Para 47

120. To my mind, the proposed allocation would reflect the Council's aspirations for economic development and regeneration in South Bristol as set out in Policy BCS1 of the Core Strategy. I can conceive of acceptable solutions to the perceived development problems. The allocation in its proposed form is entirely appropriate.

BSA1201: Land at Broom Hill, Brislington

121. The proposed allocation for housing purposes of land at Broom Hill, Brislington has attracted a significant number of representations. Concerns cover a wide range of matters. These include ecology and trees; historic environment and archaeology; flood risk; traffic, congestion and highways infrastructure; pollution and air quality; amenity and loss of open space; local facilities; and allotments.

122. In my judgement, this large site (9.1 ha) would make an important contribution to the housing needs of Bristol. It is a site of no overriding environmental quality. Matters of significance could be addressed through the normal processes of development management. There is no evidence before me to indicate that the allocation should not be confirmed.

BSA1301: Site of former City of Bristol College, Hawkfield Road, Hartcliffe

123. The site of the former City of Bristol College is allocated for housing and business purposes. Amongst the development considerations is a requirement for development to be informed by an ecological survey and make provision for mitigation measures for the loss of open mosaic habitat. The evidence to the examination hearings was to the effect that the habitat should be retained in situ. For the proposals to be justified, the Plan should be amended as set out in main modification **MM55**.

Overall Conclusion and Recommendation

124. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

125. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendix, the Bristol Site Allocations and Development Management Policies Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Andrew S Freeman

INSPECTOR

This report is accompanied by a separate Appendix and Annex. The Appendix contains the main modifications. The Annex contains new maps and amended plans as referred to in the main modifications.

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission (Publication Version) local plan and do not take account of the deletion or addition of text.

Where appropriate, the modifications should be read in conjunction with the new maps and amended plans contained in the Annex accompanying this Appendix.

Ref	Page	Policy / Paragraph	Main Modification
MM1	Page 2	After Para 1.12	<p><u>1.13 The Core Strategy includes an interim review date of 2016 and a major review date of 2021. In particular, the appropriate level of new homes will be reviewed within 5 years of the adoption of the Core Strategy, by June 2016. This review will cover all types of new housing (e.g. self-build plots and housing for the elderly). An assessment of the land needed for economic development will be undertaken at the same time and will include a reappraisal of the suitability of previously allocated and designated land. At that time a review will also be undertaken of the approach to the Avonmouth and Bristol Port area (Core Strategy Policy BCS4) including the area designated as Avonmouth and Kingsweston Levels in Policy DM18 of this document. That review will have regard to the potential for economic development, the flood risk issues in the area and habitat protection and mitigation considerations. Review processes are anticipated to commence at least two years in advance of the review date in order to allow any new policies to be adopted in a timely manner.</u></p> <p><u>1.14 The Site Allocations and Development Management Policies, as part of the Local Plan, also covers the period to 2026. It is anticipated that the Site Allocations and Development Management Policies will also need to be reviewed alongside the review of the strategic policies in the Core Strategy.</u></p>
MM2	Page 7	Para 2.2.6	<p>2.2.6 When making assessments on new development, consideration is to be given to the particular qualities and characteristics of a residential area or residential uses that might contribute to it being an enjoyable or otherwise satisfactory place to live. These usually include generally quieter surroundings; a reasonable level of safe, accessible and convenient car parking; a well maintained or visually attractive environment and the preservation of buildings and structures that contribute to the character of a locality. Consideration should also be given to the mix of housing within the</p>

Ref	Page	Policy / Paragraph	Main Modification
			<p>area and whether any harmful concentrations of sub-divisions or shared housing exist. Harmful concentrations are likely to arise when issues commonly associated with these uses, listed in para. 2.2.5 above, cumulatively result in detrimental effects on these residential qualities and characteristics. Harmful concentrations will also result where the choice of housing is reduced and no longer provides for the needs of different groups within the community.</p>
MM3	Page 7	<p>Para 2.2.10</p> <p>After replacement Para 2.2.10</p>	<p>2.2.10 Bristol City Centre remains, in principle, an acceptable location for this type of development. Most parts of the city centre are within reasonable walking distance of the University of Bristol and good public transport connections exist to the University of the West of England. Student accommodations can help make a positive contribution to the mix of uses within the city centre and is less likely to result in harmful impacts on residential amenity. Further policy criteria and the definition of the city centre boundary are provided in the Bristol Central Area Plan. <u>The definition of the city centre boundary is shown on Map 1 below.</u> Other locations outside of the city centre may also be suitable provided development meets the policy's general criteria. No sites are specifically allocated for student accommodation.</p> <p><i>Insert Map 1 [in Annex accompanying this Appendix]</i></p>
MM4	Page 8	Policy DM2, Application Information	<p>Application Information</p> <p>The Design and Access statement should indicate how the criteria in this policy have been addressed</p>

Ref	Page	Policy / Paragraph	Main Modification
			<p>Analysis should be undertaken on the number of HMOs at street, neighbourhood and ward levels. Data is available from the Census that corresponds to these geographies.</p> <p>For major developments analysis should be undertaken of the type of housing in the area, including where relevant the number of sub-divisions, HMOs or specialist student housing accommodation, at street, neighbourhood and ward levels. Data is available from the Census that corresponds to these geographies.</p>
MM5	Page 9	Policy DM3	<p>Residential developments comprising 10 to 14 dwellings should make an appropriate contribution towards the provision of affordable housing on-site or, where on-site provision cannot be practicably achieved, as an equivalent financial contribution. A 20% target will be sought through negotiation across all areas of the city. The following percentage targets will be sought through negotiation:</p> <ul style="list-style-type: none"> ▪ <u>20% in Inner West, Inner East and South Bristol</u> ▪ <u>10% in North West, East and North Bristol</u> <p>Where units are provided on-site these should remain at an affordable price for future eligible households or, if this restriction is lifted, for the subsidy to be recycled for alternative affordable housing provision.</p> <p>Where scheme viability may be affected, developers will be expected to provide full development appraisals to demonstrate an alternative affordable housing provision.</p>
MM6	Page 9	Para 2.3.4	2.3.4 The council will seek affordable housing from smaller residential developments in accordance with the stated threshold and percentages. <u>Map 2</u>

Ref	Page	Policy / Paragraph	Main Modification
		After Application Information	<p><u>below identifies the indicative percentage levels expected by the council in different areas of the city.</u> The type of contribution made, either on-site provision or financial, will be agreed with the council's Affordable Housing Development Team through the development management process.</p> <p><i>Insert Map 2 [in Annex accompanying this Appendix]</i></p>
MM7	Page 10	Policy DM5	<p>Proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated that:</p> <p>i. The loss of the <u>specific existing</u> community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality; <u>and or, where the use has ceased</u>, that there is no need or demand <u>from for</u> any other suitable community facility that is willing or able to make use of the building(s) or <u>site land</u>; or</p> <p>ii. The building or <u>site land</u> is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities; or</p> <p>iii. The community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or <u>site land</u>; or</p> <p>iv. Appropriate replacement community facilities are provided in a suitable alternative location.</p>
MM8	Page 11	Para 2.5.3	<ul style="list-style-type: none"> • In the case of commercial community facilities, whether the use is no

Ref	Page	Policy / Paragraph	Main Modification
			longer viable (applicants will need to submit evidence to demonstrate that the site is no longer viable for that use and has been adequately marketed. <u>The latter should be undertaken in accordance with the guidelines on the carrying out of marketing which are available to view on the council's website under planning advice and guidance.</u>)
MM9	Page 12	Para 2.6.3	2.6.3 Where the loss of an established pub is proposed applicants will need to provide evidence clearly showing that the pub is no longer economically viable. Viability assessments must include analysis of trade potential, the existing business and evidence of adequate marketing. Regard will be had to the Campaign for Real Ale's public house viability test. In such cases the council will submit the viability assessment for independent validation, with all the council's consultancy costs <u>any reasonable costs</u> for the validation process met by the developer <u>applicant</u> .
MM10	(Policies Map, Page 21)	(Policies Map 21)	<i>The Plan shall not be adopted unless the boundary of the Secondary Shopping Frontage for Lawrence Hill Local Centre shown on Policies Map 21 is removed in accordance with the plan in the Annex accompanying this Appendix.</i>
MM11	Page 17	Policy DM10	iii. The availability of <u>public transport, parking and servicing</u>; and
MM12	Page 17	After Para 2.10.2	<u>2.10.2A A harmful concentration is considered to arise when the cumulative impacts of food and drink uses are likely to have harmful effects on the amenity of a centre. This is likely to occur when issues commonly associated with food and drink uses, as listed in criterion ii of the policy, have detrimental effects on those qualities and characteristics of a centre that contribute to it being an enjoyable or otherwise satisfactory place to shop, work, socialise and live. The point when that harmful concentration is reached will vary from place to place depending on the character of the area and specific local</u>

Ref	Page	Policy / Paragraph	Main Modification
			<u>circumstances.</u>
MM13	Page 19	Para 2.12.1	<p>2.12.1 The Core Strategy states that employment sites, premises and floorspace outside the city’s Principal Industrial and Warehousing Areas will be retained where they make a valuable contribution to the economy and employment opportunities. <u>This is because due to their scattered nature they may have particular economic importance to the local area due to a lack of alternative employment sites in the vicinity. Retaining these sites helps to provide employment and business opportunities close to where people live. This is particularly important in those parts of Bristol experiencing persistently high levels of socio-economic deprivation. Maintaining a range of employment sites across the city also helps reduce the need to travel, especially by car.</u> This Development Management policy sets out the criteria the council will use to assess the value of these sites when determining planning applications which propose to develop them for alternative land uses. This policy does not apply to employment sites in Bristol City Centre.</p>
MM14	Page 19	Policy DM12	<p>Employment sites should be retained for employment use unless it can be demonstrated that:</p> <ul style="list-style-type: none"> i. There is no demand for employment uses; or <u>ii. Continued employment use would have an unacceptable impact on the environmental quality of the surrounding area; or</u> ii.iii. A net reduction in floorspace is necessary to improve the existing premises; or ii.iv. It is to be used for industrial or commercial training purposes.

Ref	Page	Policy / Paragraph	Main Modification
MM15	Page 19	Para 2.12.3	<p>2.12.3 This policy aims to acknowledge the situations in which it would be inappropriate to retain employment sites because either:</p> <ul style="list-style-type: none"> • there is no demand for employment use, particularly if the site has remained empty or vacant for a period of time although it has been marketed and it no longer serves the needs of businesses; or • <u>employment use on the site is causing unacceptable environmental impacts; or</u> • the proposal is necessary to improve the existing premises or would provide facilities for employment-related training.
MM16	Page 20	After Para 2.12.4	<p><u>2.12.5 Regarding the second criterion, as a means of assessing whether unacceptable impacts are being caused, regard will be had to substantiated complaints made to the council’s Pollution Control team. Proposals will be expected to demonstrate that the site would continue to have unacceptable environmental effects even if reasonable efforts could be employed to reduce the environmental impacts of the existing use to an acceptable level.</u></p>
MM17	Page 20	Policy DM12, Application Information	<p>Application Information</p> <p>An Economic Statement should be submitted with planning applications to show how the proposal addresses this policy. Having regard to the explanatory text above, the statement should set out:</p> <ul style="list-style-type: none"> • evidence of a lack of demand for employment uses on the employment site; • <u>evidence that continued employment use of the site would cause unacceptable impacts on the environmental quality of the surrounding</u>

Ref	Page	Policy / Paragraph	Main Modification
			<p><u>area;</u></p> <ul style="list-style-type: none"> • why a net reduction in floorspace is necessary to improve the existing employment use; or • evidence that the employment site is to be used for industrial or commercial training purposes.
MM18	(Policies Map, Page 12)	(Policies Map 12)	<p><i>The Plan shall not be adopted unless the boundaries of the proposed Important Open Space designations south of Cote House Lane and south of Cote Lane, Westbury on Trym shown on Policies Map 12 are amended in accordance with the plan in the Annex accompanying this Appendix.</i></p>
MM19	(Policies Map, Page 31)	(Policies Map 31)	<p><i>The Plan shall not be adopted unless the boundary of the proposed Important Open Space designation at the Bush Centre, north of New Fosseyway Road, Hengrove shown on Policies Map 31 is amended in accordance with the plan in the Annex accompanying this Appendix.</i></p>
MM20	(Policies Map, Page 20)	(Policies Map 20)	<p><i>The Plan shall not be adopted unless the boundary of the proposed Important Open Space designation north of Cotham Road, Cotham shown on Policies Map 20 is amended in accordance with the plan in the Annex accompanying this Appendix.</i></p>
MM21	(Policies Map, Page 10)	(Policies Map 10)	<p><i>The Plan shall not be adopted unless the boundary of the proposed Important Open Space designation on land at Ermine Way, Shirehampton shown on Policies Map 10 is amended in accordance with the plan in the Annex accompanying this Appendix.</i></p>
MM22	(Policies Map, Page	(Policies Map 12)	<p><i>The Plan shall not be adopted unless the boundary of the proposed Important Open Space designation on land at Wesley College, Westbury on Trym shown</i></p>

Ref	Page	Policy / Paragraph	Main Modification
	12)		<i>on Policies Map 12 is amended in accordance with the plan in the Annex accompanying this Appendix.</i>
MM23	(Policies Map, Page 15)	(Policies Map 15)	<i>The Plan shall not be adopted unless the boundary of the proposed Important Open Space designation on land at St Matthias Campus, College Road, Fishponds shown on Policies Map 15 is amended in accordance with the plan in the Annex accompanying this Appendix.</i>
MM24	Page 30	Para 2.18.1	2.18.1 To the north of the city's built-up area, on both sides of the M5 motorway and extending to the Severn Estuary, there are extensive areas of undeveloped land. These areas include a range of uses including grazing land and recreation areas. Most of the areas are affected by significant levels of flood risk. There are areas which contribute to biodiversity, some of which are designated for their importance at local, national and international level <u>or which help to support the species associated with the Severn Estuary Special Protection Area</u> . There are also important archaeological remains, including complex prehistoric landscapes. Parts of the undeveloped land, particularly those south of the M5 motorway at Lawrence Weston, currently contribute to the open setting of the northern parts of the city.
MM25	Page 31	Policy DM18	Within the The Avonmouth and Kingsweston Levels area as shown on the Policies Map will remain primarily undeveloped. development Development proposals consistent with the area's undeveloped status will <u>may</u> be permitted acceptable where they would be in accordance with all other relevant development plan policies.
MM26	Page 31	Para 2.18.3	2.18.3 Whilst the policy means that the generally undeveloped status of the

Ref	Page	Policy / Paragraph	Main Modification
			<p>area would be maintained, forms of development suitable in open areas may be appropriate where they are consistent with other planning policies. For example, consistent with policy BCS14 of the Core Strategy, forms of renewable energy generation such as wind turbines would be acceptable in principle where they would be in accordance with other policies. The area also contains locations with the potential for habitat creation to enhance biodiversity and mitigate the impacts of development on internationally important areas for nature conservation. Development necessary for the creation and management of such areas would also be acceptable in principle.</p>
MM27	Page 31	Para 2.18.5	<p>2.18.5 The role and extent of the Avonmouth and Kingsweston Levels designation will be re-examined as part of any future review of the strategic planning context for the area (<u>see paragraph 1.13 above</u>). That review will take into account, <u>and be informed by</u>, the content and outcomes of the Avonmouth and Severnside Integrated Development, Infrastructure and Flood Risk Management Study February 2012 prepared for Bristol City and South Gloucestershire Councils. It will also take into account the Severnside & Avonmouth Wetland Habitat Project October 2010 and December 2011 (the Cresswell study).</p>
MM28	Page 32	Para 2.19.2	<p>2.19.2 Bristol contains a wide range of important nature conservation sites that contribute to a varied stock of natural habitats and species. The city has two sites of international importance: The Severn Estuary, which is a Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site, and; the Avon Gorge SAC. <u>The findings of the Severnside & Avonmouth Wetland Habitat Project October 2010 and December 2011 (the Cresswell study) will be taken into account in determining any proposals which affect the international designations of the Severn Estuary. The documents are available on the Local Plan Evidence page of the council's</u></p>

Ref	Page	Policy / Paragraph	Main Modification
			<p><u>website</u>. There are also currently five Sites of Special Scientific Interest (SSSI) in Bristol, which are of national importance for habitat conservation value.</p>
MM29	Page 34	Para 2.19.12	<p>2.19.12 The SPA, SAC and Ramsar international sites receive the highest level of protection and no significant negative effects upon the habitats, species and special features of the sites will be permitted. The Severn Estuary SPA, SAC and Ramsar site and Avon Gorge SAC are identified and protected by international conventions, European Directives and subject to statutory protection in the Conservation of Habitats and Species Regulations 2010. <u>Relevant proposals will therefore need to be supported by sufficient evidence to demonstrate there would be no significant effect on the integrity of international sites. Within Avonmouth this will includes proposals that impact upon land which lies outside the Severn Estuary SPA Boundary, where it provides habitats for SPA Qualifying Species and/or Qualifying Assemblage. The Cresswell study 2011 contains information on the location of the known inland habitats.</u></p>
MM30	Page 38	Policy DM23	<p>Development should not give rise to unacceptable traffic conditions and will be expected to provide:</p> <ul style="list-style-type: none"> i. Safe and adequate access for all sections of the community within the development and onto the highway network <u>including designs which secure low vehicle speeds</u>; and ii. Adequate access to public transport including, where necessary, provision for public transport improvements; and iii. For appropriate transport improvements to overcome unsatisfactory transport conditions created or exacerbated by the development; and

Ref	Page	Policy / Paragraph	Main Modification
			<p>iv. For pedestrians and cyclists including, where appropriate, enhancing the pedestrian and cycle network and, for major non-residential schemes, providing adequate changing, shower, storage and drying facilities for cyclists.</p>
MM31	Page 39	Policy DM23, before "Parking and Servicing"	<p><u>Public rights of way</u> <u>Development will be expected to protect and enhance the function and amenity of public rights of way. Diversions of public rights of way will only be appropriate where an alternative route of equal or improved character, amenity, safety, directness and convenience is provided.</u></p>
MM32	Page 39	After Para 2.23.2	<p><u>2.23.2A The council is committed to delivering 20mph speed limits across the city by 2015, excluding dual carriageways and 40mph and 50mph roads. The policy assists in the delivery of this by ensuring that the design of new development secures low vehicle speeds. Planning applicants should refer to guidance documents such as the Government's 'Manual for Streets' for advice on relevant design measures.</u></p>
MM33	Page 39	After Para 2.23.4	<p><u>Public rights of way</u> <u>2.23.4A Public rights of way (i.e. public footpaths, bridleways and byways) are a valuable part of the city's transportation network. They are important for their role in recreation and for providing opportunities for people to benefit from regular exercise and access to the wider countryside. They also provide an alternative to car use for shorter journeys and for longer journeys when combined with public transport. Their protection and enhancement will therefore be expected in development proposals.</u></p>

Ref	Page	Policy / Paragraph	Main Modification
MM34	(Policies Map, Page 1)	(Policies Map 1)	<i>The Plan shall not be adopted unless the extent of the safeguarded rail infrastructure at Chittening Industrial Estate shown on Policies Map 1 is amended in accordance with the plan in the Annex accompanying this Appendix.</i>
MM35	Page 50	Policy DM29	<p><i>Shopfronts, Signage and External Installations</i></p> <p>Shopfronts will be expected to have regard to the host building and the wider street scene in terms of the scale, proportion and overall design and to provide independent ground floor front access to upper floors.</p> <p>External signage will be expected to adopt a scale, detail, siting and type of illumination appropriate to the character of the host building, and the wider street scene and longer distance views.</p>
MM36	Page 53	Para 2.31.1	<p>2.31.1 Heritage assets, which can range from whole landscapes to individual items of street furniture, are a finite non-renewable resource that can often be irreparably damaged by insensitive alterationsdevelopment. <u>Great weight is given to the conservation of designated heritage assets.</u> As set out in the Core Strategy, the historic environment is important not just for its own sake, but also as an asset that can add value to regeneration and help to draw businesses to the city, acting as a stimulus to local economic growth.</p>
MM37	Page 53	Para 2.31.3	<p>2.31.3 This policy implements policy BCS22 of the Core Strategy by setting out in detail how the council proposes to secure the conservation of heritage assets where development occurs and to reduce the harm to those assets to an acceptable minimum. When assessing development proposals that affect heritage assets, this policy will be applied in conjunction with the relevant</p>

Ref	Page	Policy / Paragraph	Main Modification
			parts of policies DM26 to DM30. Other relevant documents such as Conservation Area Character Appraisals and others listed under policy DM26 will form an important part of the assessment.
MM38	Page 53	Policy DM31	<p><i>General principles</i></p> <p>Development that has an impact upon a heritage asset will be expected to:</p> <p>i. Conserve, and where appropriate, or enhance the <u>significance of the asset and</u> its setting; and</p> <p>ii. Ensure that the significance of the asset is not compromised.</p> <ul style="list-style-type: none"> • <i>Archaeology:</i> <u>Scheduled monuments and other non-designated archaeological sites of equivalent importance should be preserved in situ. In those cases where this is not justifiable or feasible, provision should be made for excavation and record with an appropriate assessment and evaluation. The appropriate publication/curation of findings will be expected.</u> • <i>Listed Buildings:</i> <u>Alterations, extensions or changes of use to listed buildings, or development in their vicinity, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.</u> • <i>Conservation Areas:</i> <u>Development within or which would affect the setting of a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their</u>

Ref	Page	Policy / Paragraph	Main Modification
			<p><u>special character or appearance.</u></p> <ul style="list-style-type: none"> • <u>Registered Historic Parks and Gardens:</u> <u>Development will be expected to have no adverse impact on the design, character, appearance or settings of registered historic parks and gardens and to safeguard those features which form an integral part of their character and appearance.</u> • <u>Locally important heritage assets:</u> <u>Proposals affecting locally important heritage assets should ensure they are conserved having regard to their significance and the degree of any harm or loss of significance.</u> <p><i>Understanding the asset</i></p> <p>Development proposals that would affect the character or setting of heritage assets will be expected to demonstrate, by a thorough understanding of the significance of the asset, how any change proposed would preserve or <u>conserve and, where appropriate,</u> enhance that significance.</p> <p>Minimising harm to the<u>Conserving heritage assets</u></p> <p>Where a proposal involves harm to the special character or historic interest<u>would affect the significance</u> of a heritage asset, including a locally listed heritage asset, or its wider historic setting, the applicant will be expected to:</p> <ol style="list-style-type: none"> i. Demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and ii. Demonstrate that the works proposed are the minimum required to

Ref	Page	Policy / Paragraph	Main Modification
			<p>secure the long term use of the asset; and</p> <p>iii. Demonstrate how those features of a heritage asset that contribute to its historical, archaeological, social, artistic or architectural interest will be retained; and</p> <p>iv. Demonstrate how the local character of the area will be respected.</p> <p><i>Recording the asset</i></p> <p>Where a proposal would result in the partial or total loss of a heritage asset or its setting, the applicant will be required to:</p> <p>i. Instigate a programme of recording of that asset; and</p> <p>ii. Ensure the publication of that record in an appropriate form.</p> <p><i>Energy efficiency measures and renewables</i></p> <p>The installation of energy efficiency measures and micro-renewables in historic buildings (including listed buildings) and in conservation areas will be permitted, provided that the works are the minimum required to achieve the energy efficiency improvements and do not conflict with the general principles described above, prioritising low-impact measures over invasive measures.</p>
MM39	Page 54	Para 2.31.5	<p>2.31.5 Heritage assets of national importance will generally be protected as designated assets under the Listed Buildings and Conservation Areas Act (1990) or the Ancient Monuments and Archaeological Areas Act (1979). However, the historic environment comprises a wide range of assets, which may not merit formal designation, but are nevertheless highly regarded and often much-loved elements of an area. They may be identified during the planning process or during the process of assessments of local character, such</p>

Ref	Page	Policy / Paragraph	Main Modification
			as Conservation Area Character Appraisals. Equally, they may be identified by local communities and individuals as part of the preparation of a Local List. Locally listed Historic parks and gardens are shown <u>designated</u> on the Policies Map. These are considered to be non-designated heritage assets that would in future form part of a Local List and are therefore subject to this policy.
MM40	Page 66	Para 2.38.1	2.38.1 Minerals Safeguarding Areas provide for the safeguarding of proven mineral resources which are, or may become, of economic importance from unnecessary sterilisation by non-mineral development. A Minerals Safeguarding a <u>Areas is are identified</u> proposed for land at south east Bristol <u>related to the surface coal deposits identified in that area</u> . There is no presumption that land within the Minerals Safeguarding Areas <u>will ultimately be allocated for extraction.</u>
MM41	Page 66	Policy DM38	<p><u>Minerals Safeguarding Areas – Surface Coal</u></p> <p>Within the Minerals Safeguarding Areas at south east Bristol, as shown on the Policies Map, planning permission will not be granted for development that would lead to the unnecessary sterilisation of surface coal resources, unless:</p> <ul style="list-style-type: none"> i. It is demonstrated that the resource is not of economic value; or ii. The resource can be extracted, without unacceptable amenity and environmental <u>where practicable and environmentally acceptable</u>, impacts prior to the development taking place; or iii. The development is either a proposal for householder development, an alteration or extension to an existing building, or a change of use of existing development which would not intensify development on-site.

Ref	Page	Policy / Paragraph	Main Modification
			<p><u>Coal Resource Area outside Minerals Safeguarding Areas</u> <u>Within the Coal Resource Area outside the designated Minerals Safeguarding Areas the prior extraction of surface coal on development sites of 1 hectare or more will be encouraged where it is practicable and environmentally feasible.</u></p>
MM42	Page 66 Page 66	Para 2.38.2 After Para 2.38.2	<p>2.38.2 The Core Strategy acknowledges the need to consider the designation of safeguarding areas where there are surface coal resources which have the potential for future exploitation. The Coal Authority, as the owner of coal seams and mine workings on behalf of the state, has published mapped data for Bristol showing Surface Mining Coal Resource Area (See Appendix E of the Core Strategy Map 4 below). Within these areas the Coal Authority seeks consideration of the extraction of surface coal resources prior to development taking place, in order to prevent unnecessary sterilisation of the resource.</p> <p><i>Insert Map 4 [in Annex accompanying this Appendix]</i></p>
MM43	Page 66	Para 2.38.3	<p><u>Coal Resource Area – Prior Extraction</u></p> <p>2.38.3 Although there are significant <u>identified</u> surface coal <u>deposits</u> resources on the east side of Bristol and a smaller deposit in the south west, these occur within intensively built-up areas of the city, with most residual undeveloped sites already allocated for further development by 2026. As a consequence, most of the opportunities for prior extraction <u>surface coal extraction</u> will <u>already</u> be <u>sterilised</u> or constrained by the close proximity of</p>

Ref	Page	Policy / Paragraph	Main Modification
			<p>sites to sensitive urban environments: housing, public open space, offices, shopping centres and community uses. These areas are not, therefore, identified as Minerals Safeguarding Areas. The proposal to designate a cluster of sites at the south-eastern edge of the city, including part of the Green Belt, as the only Minerals Safeguarding Area within Bristol, reflects the fact that the underlying coal resources coincide at this location with land which is largely undeveloped. However, on sites over 1 hectare within the Resource Area, the council will encourage prior extraction of any coal resources where this is practicable and environmentally acceptable. This will particularly be the case where prior extraction could ensure land stability. The Coal Authority will be consulted on such proposals. The council will advise applicants for development of sites of 1 hectare or more of this policy in the course of any pre-application discussions. It will also add an advisory statement referring to this policy to any relevant planning permissions that are granted within the Coal Resource Area. The Coal Resource Area is shown on Map 4 below and is available on the council's website at http://www.bristol.gov.uk/page/explore-bristol.</p>
MM44	Page 66	Policy 38, Application information	<p>Application Information</p> <p>The following should be submitted with planning applications <u>in the Minerals Safeguarding Areas</u> to show how the proposal addresses this policy:</p> <ul style="list-style-type: none"> • A site-specific desk-based assessment of the existing surface and solid geological and mineral resource information. This may include information on mining history, market appraisals, site investigations, geological memoirs, technical reports, mining plans, and the thickness of deposits relating to the application site. • Analysis of the site specific information derived from the above,

Ref	Page	Policy / Paragraph	Main Modification
			<p>including:</p> <ul style="list-style-type: none"> ○ An estimate of the economic value of the mineral resource; ○ An assessment of whether it is feasible and viable <u>practicable and environmentally feasible</u> to extract the mineral resource ahead of development to prevent unnecessary sterilisation; and ○ Where prior extraction can be undertaken, an explanation of how this will be carried out as part of the overall development scheme. <p>This site-specific information should be prepared by a suitably qualified and competent person.</p>
MM45	Page 66	After Para 2.38.3	<p><u>Onshore Oil and Gas</u></p> <p><u>2.38.4 Bristol does not have an active oil and gas industry. Parts of south Bristol fall within areas which have been licenced by the Government for exploration and extraction of oil and gas reserves. This is part of a group of licenced areas which extend into North Somerset, Bath and North East Somerset and Somerset County. A map showing the licenced areas is available at:</u></p> <p><u>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255514/landfield_lics.pdf</u></p>
MM46	Page 66	After new Para 2.38.4	<p><u>2.38.5 As the parts of Bristol falling within the licenced areas are mainly built up, it is considered very unlikely that proposals associated with oil and gas exploration and extraction will arise within the city. In the unlikely event</u></p>

Ref	Page	Policy / Paragraph	Main Modification									
			<u>of any proposals being received they will be considered against the relevant policies in the development plan, the National Planning Policy Framework and the Government’s planning guidance on Planning for Hydrocarbon extraction. The council will also have regard to these matters when commenting on any proposals outside Bristol which may have an impact on the city.</u>									
MM47	Page 68	Policy SA1	<i>Remove BSA0107 Land to the rear of Ridingleaze, Lawrence Weston from Policy SA1 Site Allocations.</i>									
MM48	Page 68	Policy SA1	<u>BSA0111 Land off Ermine Way, Shirehampton</u> <u>Allocation: Housing</u>									
MM49	Page 77	Appendix 2	<table border="1"> <thead> <tr> <th colspan="3">C3 – Residential (Dwelling houses), C4 – Houses in Multiple Occupation</th> </tr> <tr> <th>Vehicle Type</th> <th colspan="2">Standard</th> </tr> </thead> <tbody> <tr> <td>Cycles</td> <td> Residents: Houses—adequate and accessible storage space Flats/maisonettes—one space per unit <u>Proposals should demonstrate how sufficient and appropriate storage space will be provided to meet the following standard:</u> </td> <td> Visitors: From a threshold of 10 dwellings – one space per 10 units (minimum of two spaces) </td> </tr> </tbody> </table>	C3 – Residential (Dwelling houses), C4 – Houses in Multiple Occupation			Vehicle Type	Standard		Cycles	Residents: Houses—adequate and accessible storage space Flats/maisonettes—one space per unit <u>Proposals should demonstrate how sufficient and appropriate storage space will be provided to meet the following standard:</u>	Visitors: From a threshold of 10 dwellings – one space per 10 units (minimum of two spaces)
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Ref	Page	Policy / Paragraph	Main Modification	
				<p><u>Studio or 1 bedroom dwellings: 1 space per dwelling</u></p> <p><u>2 or 3 bedroom dwellings: 2 spaces per dwelling</u></p> <p><u>4 or more bedroom dwellings: 3 spaces per dwelling</u></p>
MM50	Annex: Site Allocations Information Pages 12 and 13	Site Reference BSA0107 Land to the rear of Ridingleaze, Lawrence Weston	<i>Remove site.</i>	
MM51	Annex: Site Allocations Information After Page 13	New allocation	<p><i>In accordance with the plan in the Annex accompanying this Appendix, add plan showing this new allocation.</i></p> <p><u>Site reference:</u></p> <p><u>BSA0111</u></p> <p><u>Site address / location:</u></p> <p><u>Land off Ermine Way, Shirehampton</u></p>	

Ref	Page	Policy / Paragraph	Main Modification
			<p><u>Site Area: 0.2 hectares</u></p> <p><u>Ward: Avonmouth</u></p> <p><u>Allocation: Housing</u></p> <p><u>Development considerations</u></p> <p><u>Development should:</u></p> <ul style="list-style-type: none"> • <u>provide for improvements and ongoing maintenance and management to the adjacent open space;</u> • <u>provide natural surveillance over adjacent open space;</u> • <u>retain the footpaths running through the site;</u> • <u>be informed by an ecological survey of the site and, where appropriate, make provision for mitigation measures;</u> • <u>be designed to take account of existing or established rights of access;</u> • <u>be designed to safeguard the amenity of neighbouring residential properties;</u> <p><u>The estimated number of homes for this site is 10.</u></p> <p><u>Explanation</u></p> <ul style="list-style-type: none"> • <u>It provides an opportunity to enhance and improve the management of the adjacent open space.</u> • <u>It is in a relatively sustainable location approximately 700m from the shops and services of Shirehampton Town Centre and in close proximity to the park and ride site on A4 Portway.</u> • <u>It will contribute to meeting the Core Strategy minimum target of providing 26,400 new homes in the period 2006-2026.</u> • <u>It reflects the Core Strategy approach to the location of new housing by</u>

Ref	Page	Policy / Paragraph	Main Modification
			<u>developing new homes on land which does not need to be retained as part of the city's green infrastructure / open space provision.</u>
MM52	Annex: Site Allocations Information Page 30 (Policies Map, Page 12)	BSA0302 Coombe House Elderly Persons' Home, Westbury on Trym (Policies Map 12)	<i>Revise boundary of site allocation in accordance with the plan in the Annex accompanying this Appendix.</i> <i>The Plan shall not be adopted unless the boundary of allocation BSA0302 Coombe House Elderly Persons' Home, Westbury on Trym as shown on Policies Map 12 is amended in accordance with the plan in the Annex accompanying this Appendix.</i>
MM53	Annex: Site Allocations Information Page 54	BSA0501 Blackberry Hill Hospital, Manor Road, Fishponds	<i>Amend boundary of allocated site in accordance with the plan in the Annex accompanying this Appendix.</i> Site Area: 9.1 6.8 hectares Development considerations Development should: <ul style="list-style-type: none"> • be led by a masterplan for the site, guided by community involvement.

Ref	Page	Policy / Paragraph	Main Modification
			<p>The masterplan should consider the wider area, including nearby sites BSA0502 and BAS0503, and adopt a heritage-led approach identifying the listed buildings and structures and other heritage assets to be retained and enhanced;</p> <ul style="list-style-type: none"> • be designed to respect the outlook of the adjacent College Court properties and the openness of their boundary; • <u>make provision for the on-going maintenance and management of the area of open space adjoining the site known as the Laundry Field</u>; • take account of the Stapleton and Frome Valley Conservation Area and the Local Historic Parks and Gardens designation; • consider green infrastructure and retain a green link to the Frome Valley; • be informed by an ecological survey of the site and, where appropriate, make provision for mitigation measures. Such measures will need to include the retention of a buffer to the adjacent Site of Nature Conservation Interest; • maintain or strengthen the integrity and connectivity of the Wildlife Network; • retain and where appropriate improve the public rights of way on the site, including their amenity value; • provide for necessary improvements to the highway / transport infrastructure of the site and the surrounding area, including taking into account the cumulative impact of development of BSA0501, BSA0502 and BSA0503;

Ref	Page	Policy / Paragraph	Main Modification
	(Policies Map Page 15)	(Draft Policies Map 15)	<ul style="list-style-type: none"> • be informed by a Health Impact Assessment. This should include how the proposals have been discussed with local primary health care providers regarding impacts on primary health care services; • be informed by a site-specific flood risk assessment as the area of the site is greater than 1 hectare. This is a requirement of the Government's National Planning Policy Framework. <p>A proportion of mixed-use development including business use would also be acceptable given the relatively large size of the site, the historic character and internal layout of the buildings and the desire to preserve local employment opportunities.</p> <p>The estimated number of homes for this site is 300.</p> <p><i>The Plan shall not be adopted unless (a) the boundary of the proposed Important Open Space designation and (b) the boundary of the site allocated for development are both amended in accordance with the plans in the Annex accompanying this Appendix.</i></p>
MM54	Annex: Site Allocations Information Page 94	BSA0805 Land at former Elizabeth Shaw Factory, Greenbank Road, Easton	<p>Development considerations</p> <p>Development should:</p> <ul style="list-style-type: none"> • retain <u>consider the feasibility of retaining</u> the existing factory buildings and <u>converting</u> them for continued use; • face onto the Bristol and Bath Railway Path to provide natural surveillance; • be designed to safeguard the amenity of neighbouring residential

Ref	Page	Policy / Paragraph	Main Modification
			<p>properties;</p> <ul style="list-style-type: none"> • be informed by an ecological survey of the site and, where appropriate, make provision for mitigation measures; • address noise and pollution issues from nearby industrial uses; • be informed by a Health Impact Assessment. This should include how the proposals have been discussed with local primary health care providers regarding impacts on primary health care services; • be informed by a site-specific flood risk assessment as the area of the site is greater than 1 hectare. This is a requirement of the Government's National Planning Policy Framework. <p>The estimated number of homes for this site is 250.</p>
MM55	Annex: Site Allocations Information Page 198	BSA1301 Site of former City of Bristol College (Hartcliffe Campus), Hawkfield Road, Hartcliffe	<p>Development considerations</p> <p>Development should:</p> <ul style="list-style-type: none"> • maintain or strengthen the ecological integrity and connectivity of the Wildlife Network. This should include the retention of a wildlife corridor along the northern boundary between Valley Walk and Hawkfield Meadow; • be informed by an ecological survey of the site and make provision for <u>the retention mitigation measures for the loss of the 'Open Mosaic Habitat on Previously Developed Land' on the former games court. 7</u> which <u>If the retention of the habitat in situ is not practicable, mitigation</u> may include the creation of this habitat within the wildlife corridor between Valley Walk and Hawkfield Meadow and/or the provision of biodiverse green / brown roofs. The species, habitats and / or features

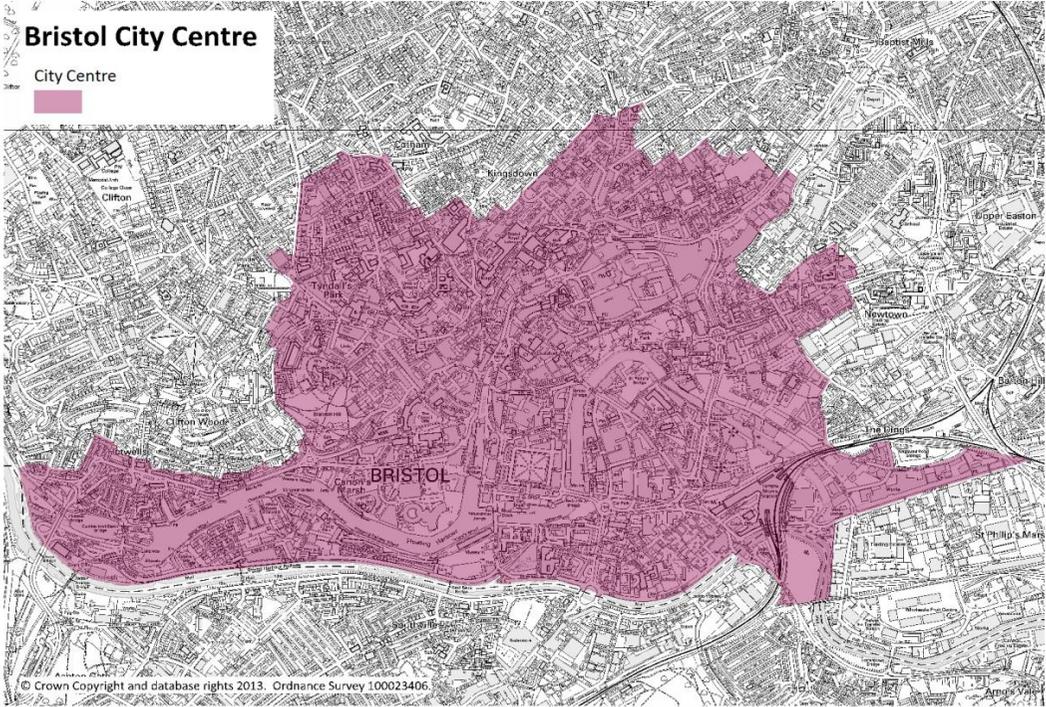
Ref	Page	Policy / Paragraph	Main Modification
			<p>make a significant contribution to nature conservation in Bristol;</p> <ul style="list-style-type: none"> • create a frontage to Hawkfield Road; • be informed by a Health Impact Assessment. This should include how the proposals have been discussed with local primary health care providers regarding impacts on primary health care services; • be informed by a site-specific flood risk assessment as the area of the site is greater than 1 hectare. This is a requirement of the Government's National Planning Policy Framework. <p>The estimated number of homes for this site is 300.</p>

Annex of New Maps and Amended Plans

New maps to be inserted

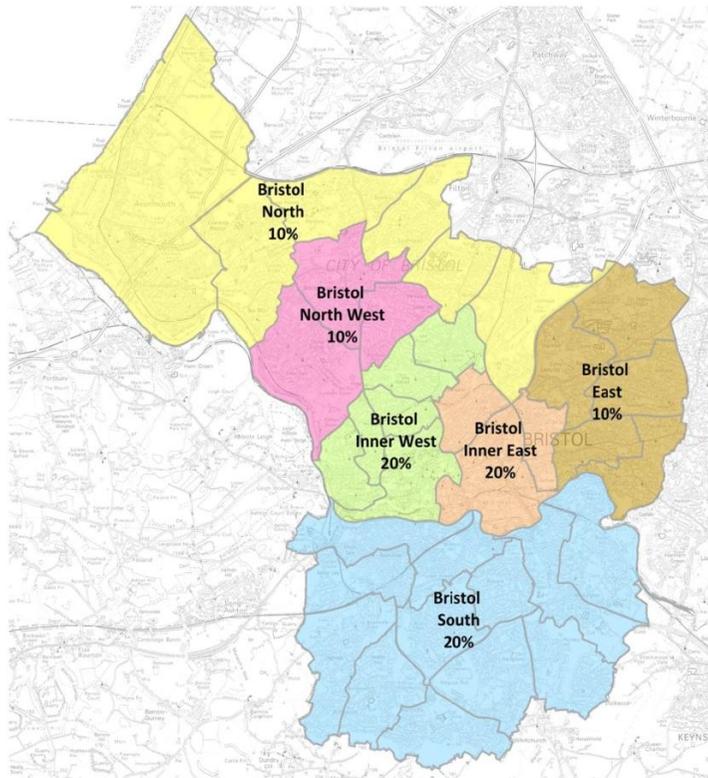
Policy DM2: Residential Sub-divisions, Shared and Specialist Housing – New Map 1 to be inserted
Main Modification Reference: MM3

Map 1: Bristol City Centre boundary



Policy DM3: Affordable Housing Provision: Smaller Sites – New Map 2 to be inserted
Main Modification Reference: MM6

Map 2: Affordable Housing Percentage Requirements by Strategic Housing Market Assessment Zone for Developments of 10 to 14 units

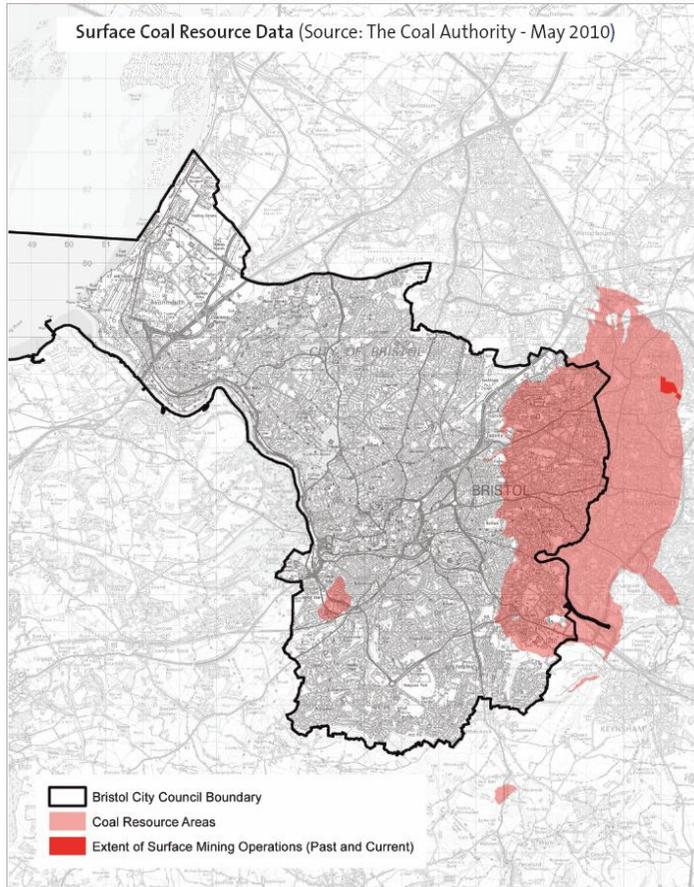


Policy DM38: Minerals Safeguarding Areas – New Map 4 to be inserted

Main Modification Reference: MM42

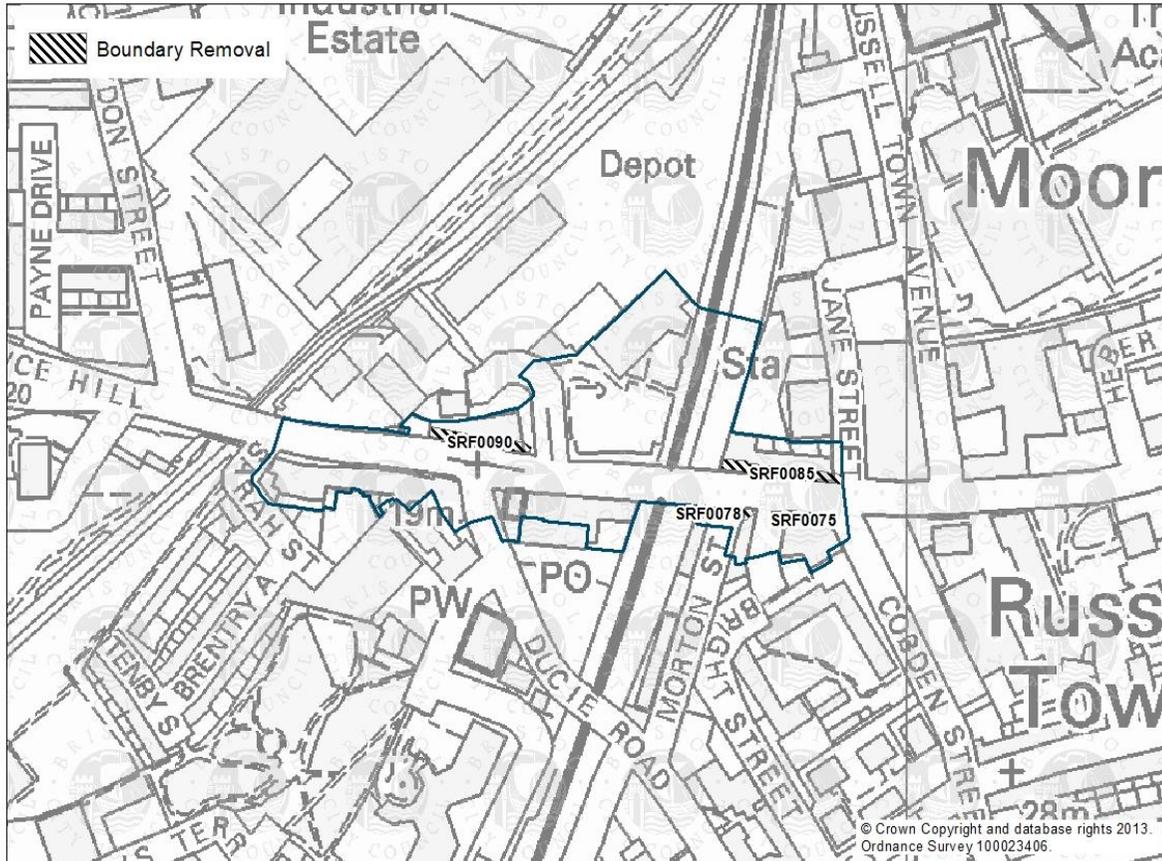
Insert new map after paragraph 2.38.3

Map 4 – Surface Mining Coal Resource Area

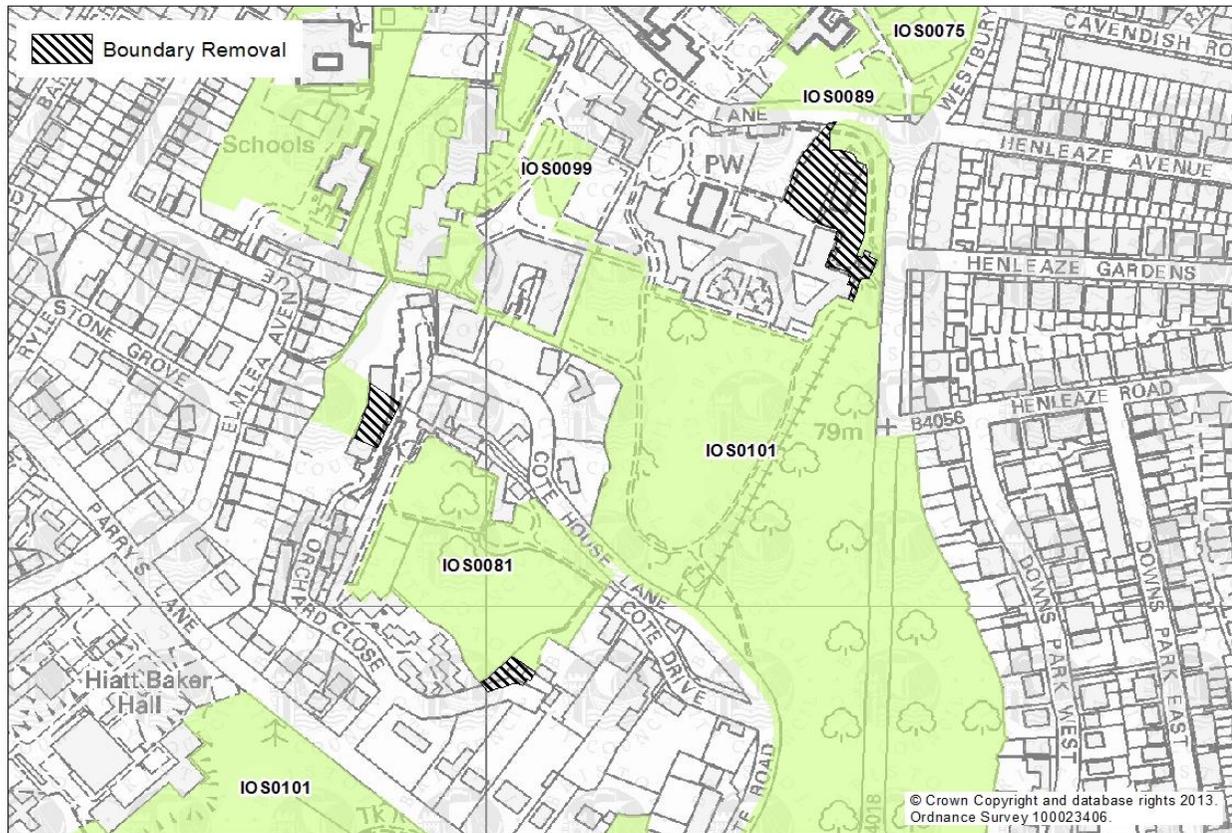


Amended Plans

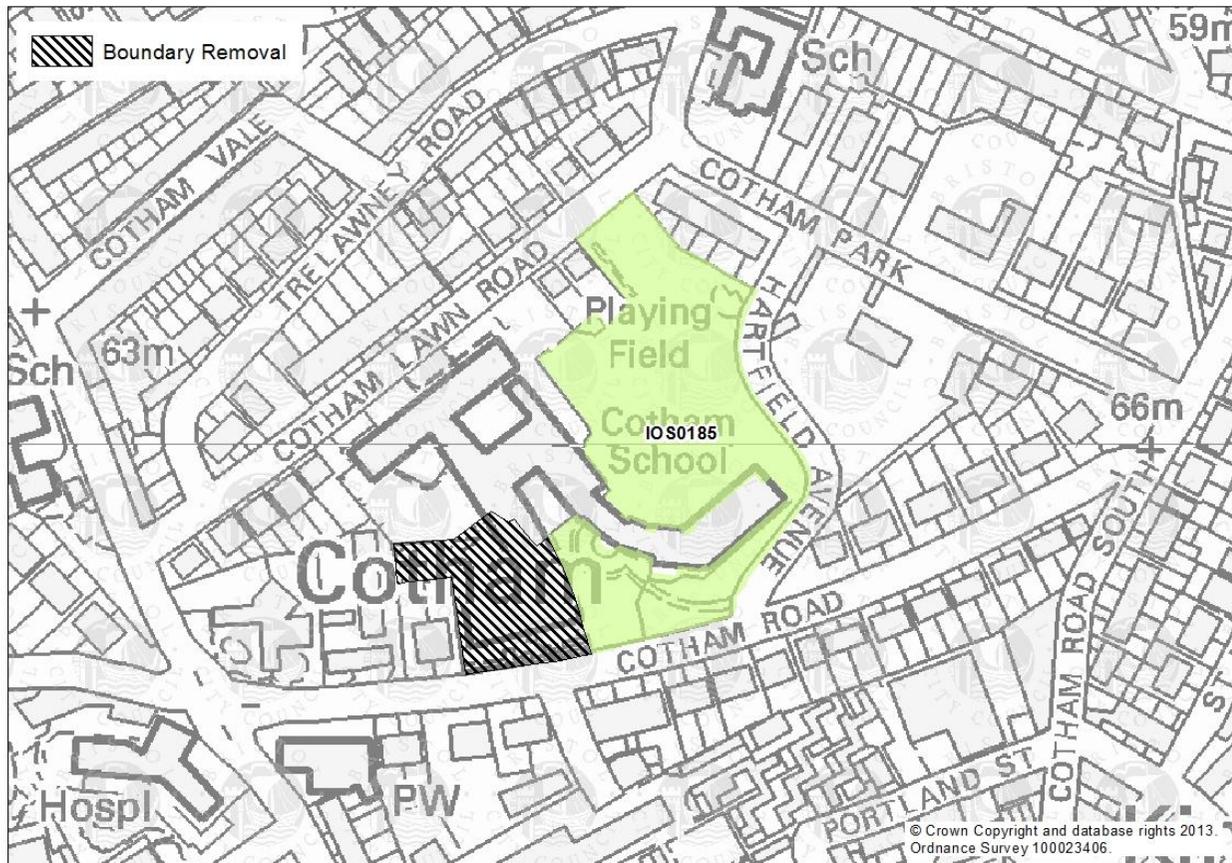
Lawrence Hill Local Centre – Policies Map 21 – removal of proposed Secondary Shopping Frontage
Main Modification Reference: MM10



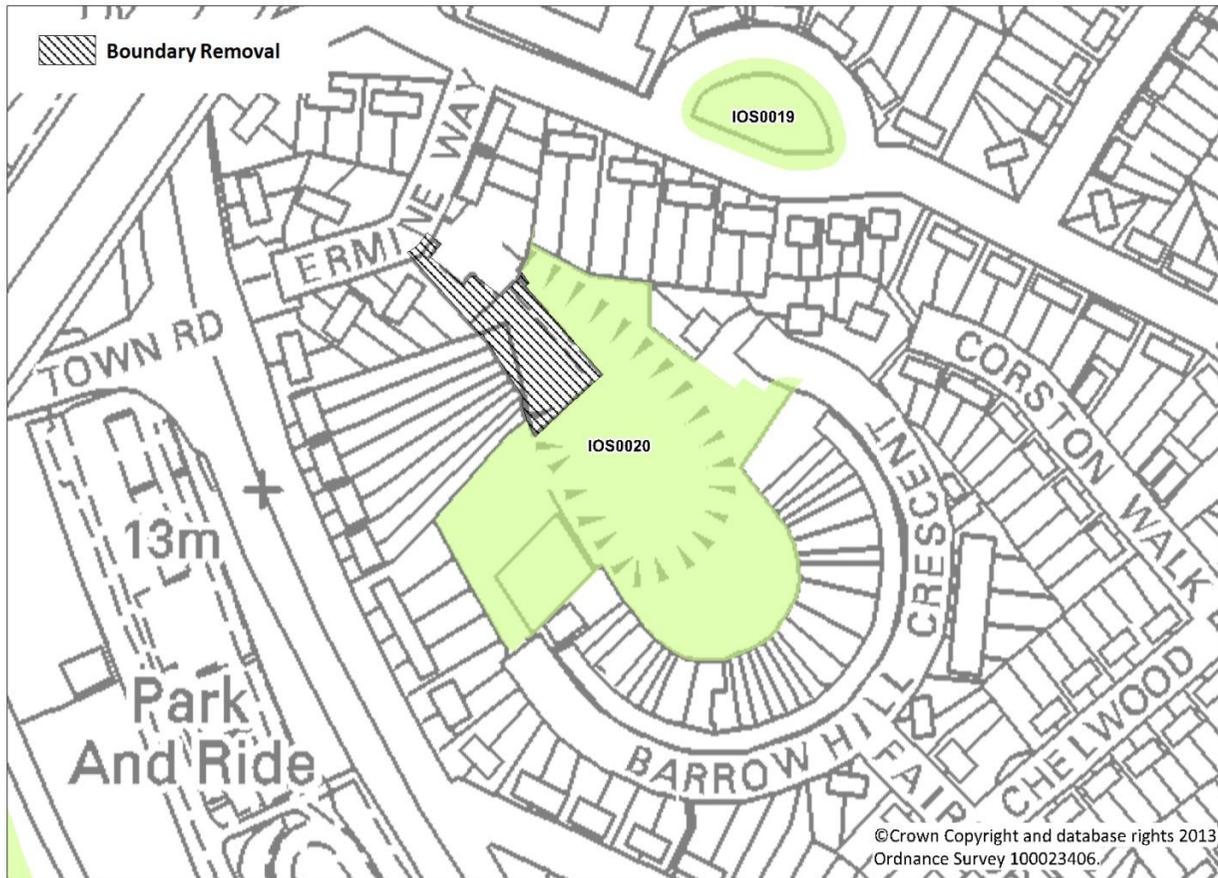
Cote House Lane and Cote Lane, Westbury on Trym - Policies Map 12
Removal of proposed Important Open Space designation
Main Modification Reference: MM18



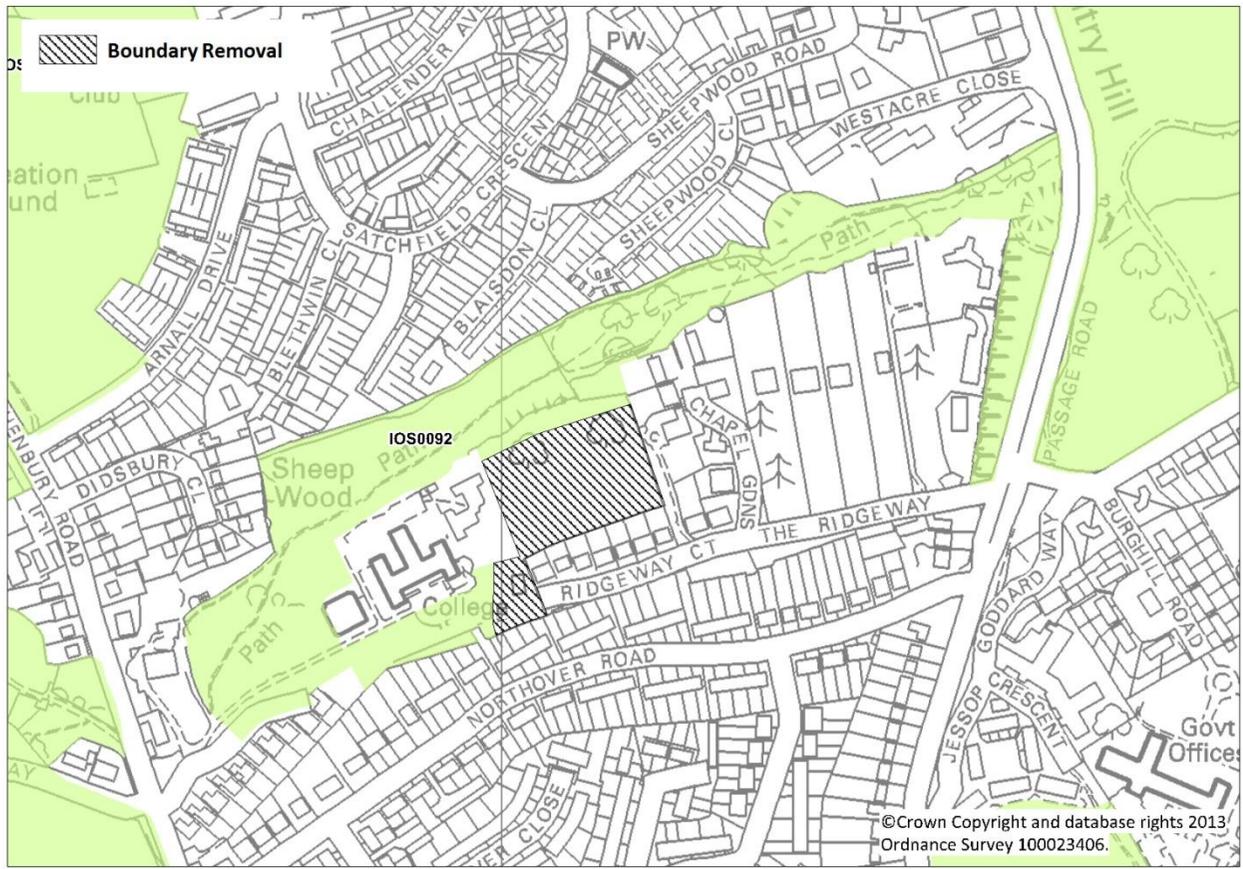
Land at Cotham School, Cotham, north of Cotham Road - Policies Map 20
Removal of proposed Important Open Space designation
Main Modification Reference: MM20



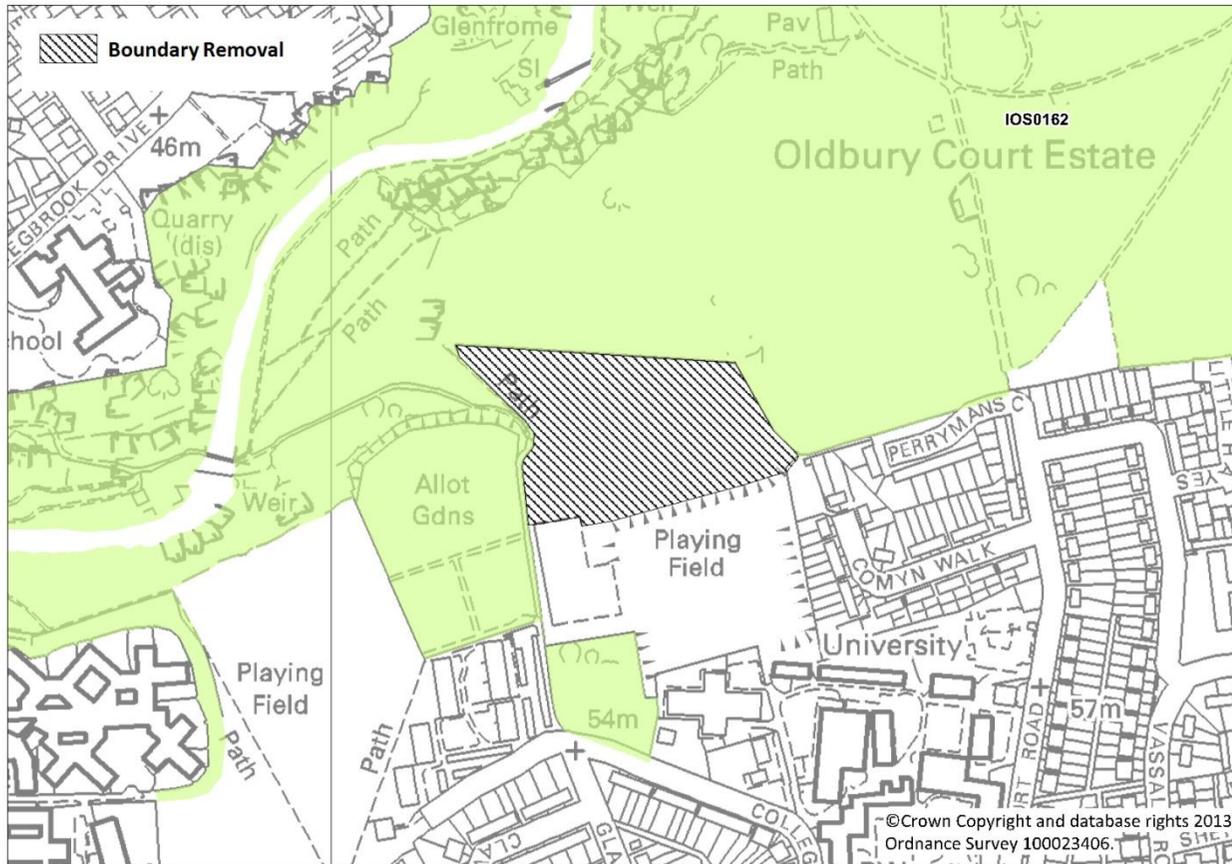
Land at Ermine Way, Shirehampton - Policies Map 10
Removal of proposed Important Open Space designation
Main Modification Reference: MM21



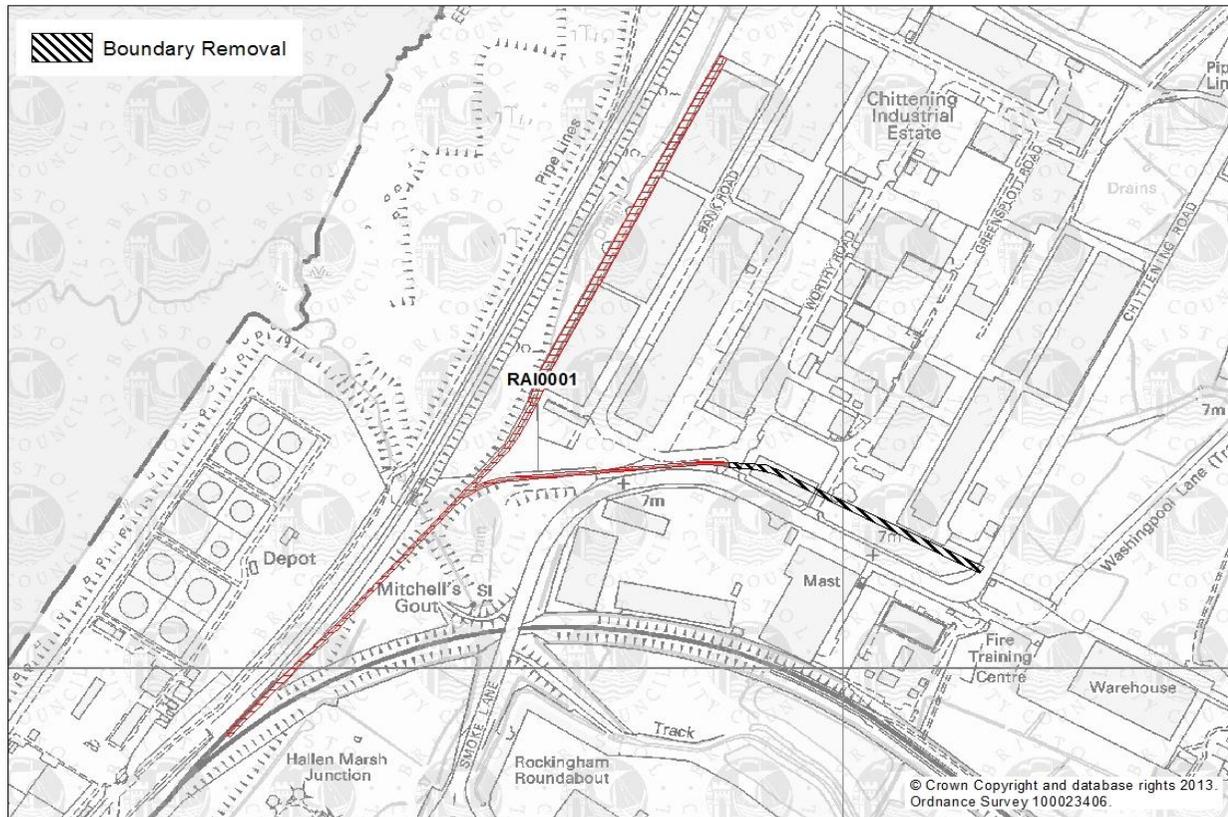
Wesley College Site, Westbury on Trym - Policies Map 12
Removal of proposed Important Open Space designation
Main Modification References: MM22



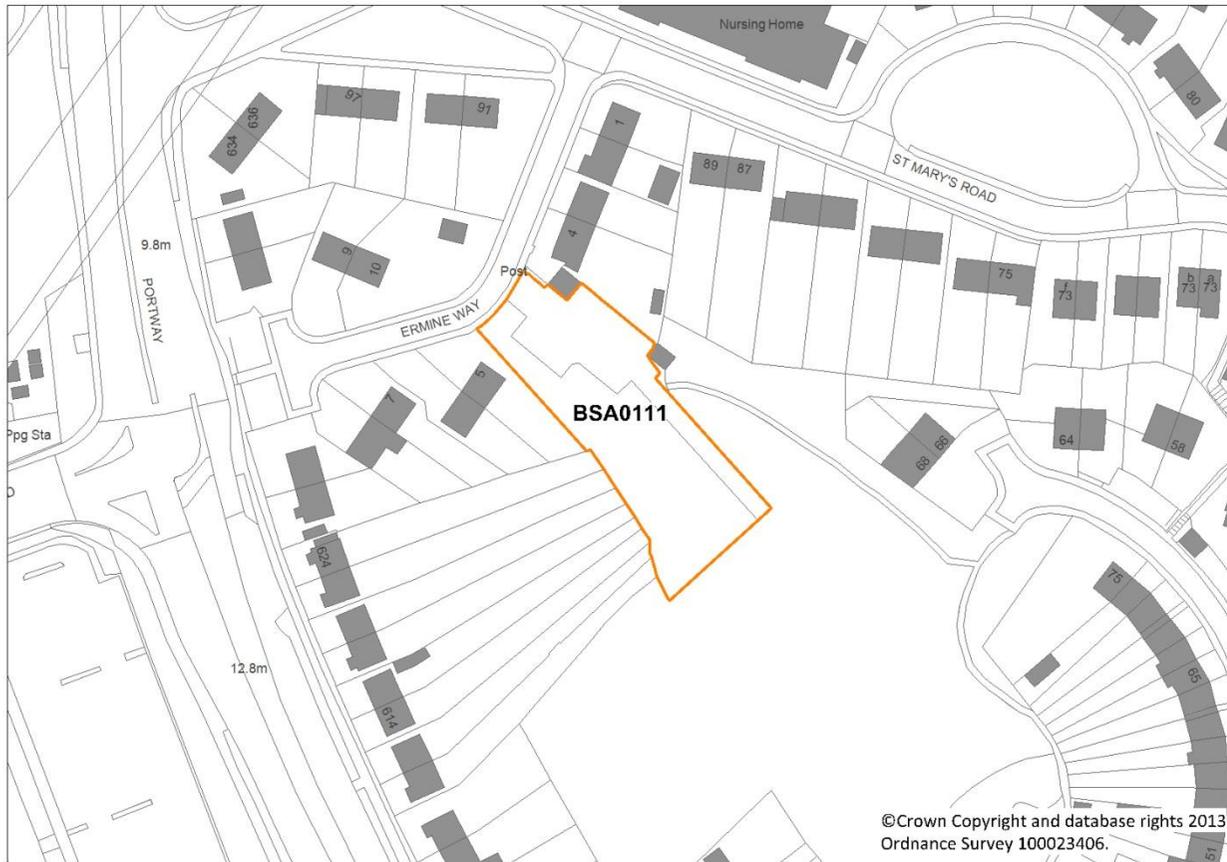
St Matthias Campus, College Road, Fishponds - Policies Map 15
Removal of proposed Important Open Space designation
Main Modification Reference: MM23



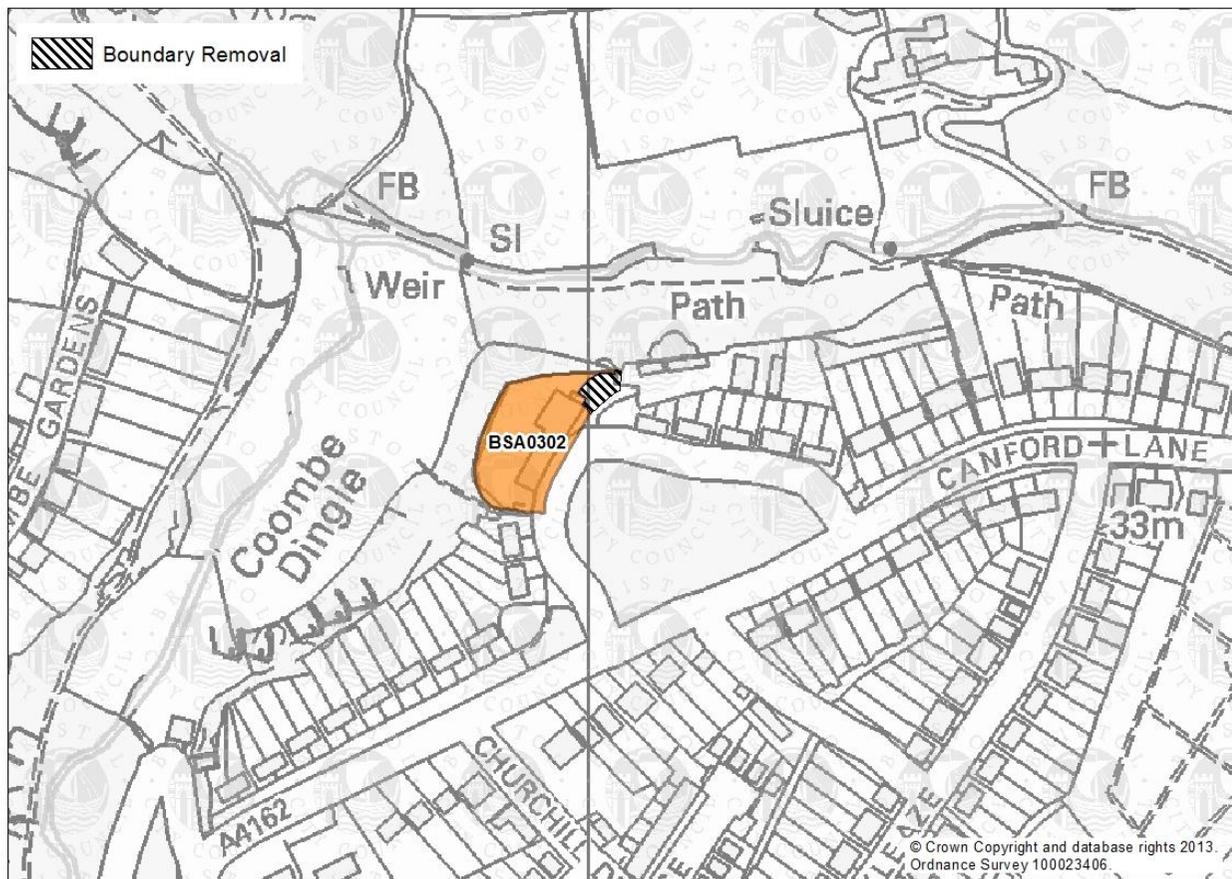
Chittening Industrial Estate, Avonmouth - Policies Map 1
Removal of proposed safeguarded rail infrastructure designation
Main Modification Reference: MM34



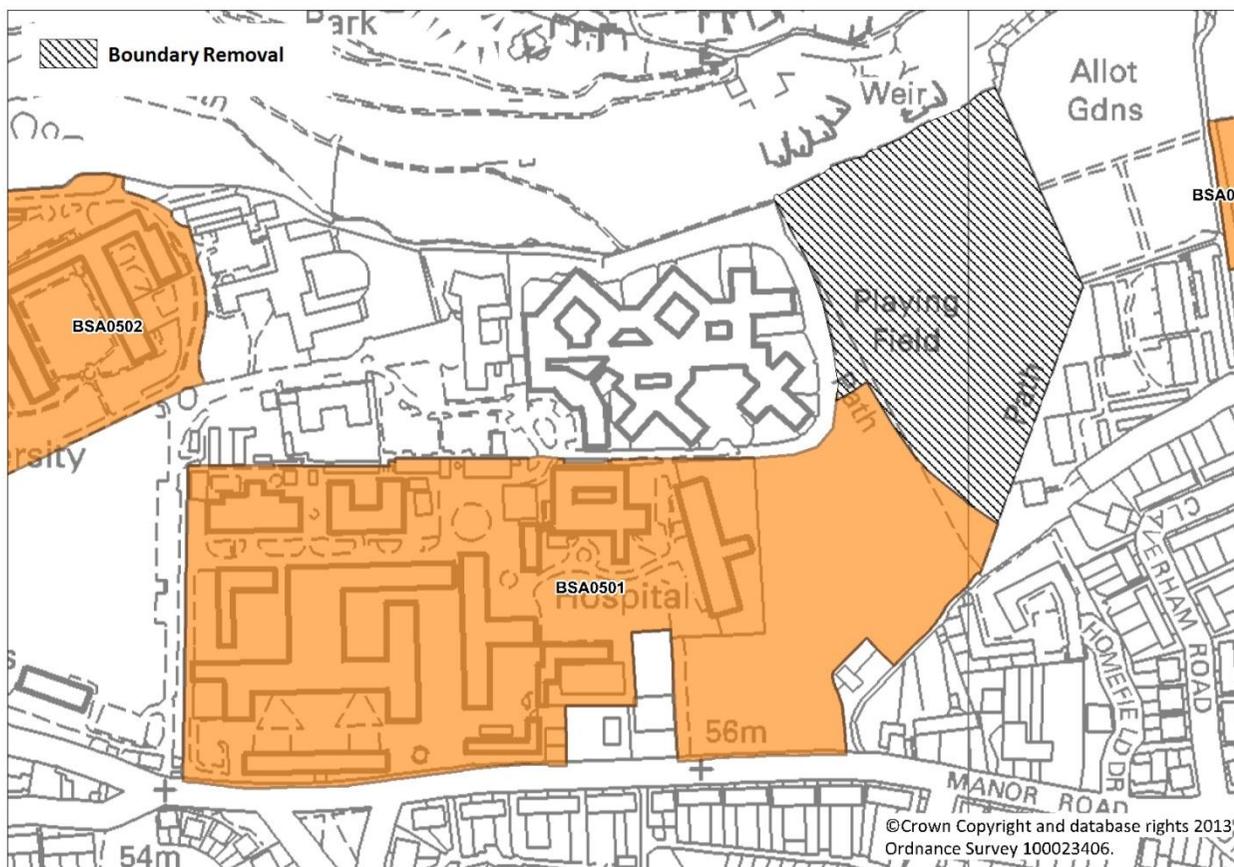
BSA0111 Land off Ermine Way, Shirehampton
Additional site allocation for housing in Policy SA1, Annex and revision to Policies Map 10
Main Modification Reference: MM51



BSA0302 Land at Coombe House Elderly Persons' Home, Westbury on Trym
Boundary revision and revision to Policies Map 12
Main Modification Reference: MM52



**BSA0501 Blackberry Hill Hospital, Manor Road, Fishponds and Policies Map 15
Boundary revision.
Main Modification Reference: MM53**



**Addition to boundary of proposed Important Open Space designation consequent to boundary revision to BSA0501 Blackberry Hill Hospital, Manor Road, Fishponds and Policies Map 15
Main Modification Reference: MM53**

