

Examination of the Bristol Local Plan 2022-2040

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Examination webpage: [Local plan examination \(bristol.gov.uk\)](https://www.bristol.gov.uk/local-plan-examination)

IN3: Supplementary Preliminary Questions to Bristol City Council

Dear Mr Chapman

Introduction

1. Thank you for your response to our initial Preliminary Questions, which we received on 18 September. Having reviewed this, we have several follow up questions where we feel additional information and/or clarity is needed before we can progress to the hearing stage of the examination. The answers to these questions will help to provide clarity and potentially narrow down the focus of the examination.
2. A response from the Council is requested by **5pm on 12 November 2024**. Representors are not being asked to respond to any of these questions at this stage. In due course, when we have considered the Council's responses, we will publish the Matters, Issues and Questions (MIQs) that will be the focus of the examination.

Duty to Co-operate

3. The Council's answer to PQ1 provides some additional information as to how it considers it has carried out the Duty with neighbouring authorities. You will recall, however, that PQ1 requested information relating to the timing and chronology of engagement and the main mechanisms used. While the response to this refers to various Member and officer groups, and meetings that have taken place, this does not provide any detail as to the specific timings of these meetings or what was discussed. In this regard, there remains little detail or clarity as to how and when discussions have taken place in relation to the preparation of this Plan, particularly in terms of the issue of Bristol's unmet housing need. This includes information as to how and when this issue was identified and what discussions have taken place to seek to address it, including anything specific prior to the letter dated 31 October 2023.
4. PQ2 requested evidence relating to how the Council has carried out the Duty with regards to prescribed bodies. The Council's response states that prescribed bodies have cooperated where necessary throughout the preparation of the Plan

and have been consulted at different stages. In particular, we note reference to 'strategic forum' meetings. However, these references provide no details on what strategic matters, as defined by the legislation, have been identified or how they have been addressed as part of the Duty. Moreover, there is no detail about the timing or frequency of any meetings that took place or who attended. In addition, we have noted the lack of any Statements of Common Ground with any prescribed bodies.

5. We therefore feel that to assist in our consideration of this issue, we would benefit from a specific Duty to Co-operate Topic Paper or Statement, which provides a more detailed and structured account of how the Council has engaged constructively, actively and on an on-going basis to maximise the effectiveness of the Plan. We would again draw your attention to paragraph 1.15 of the Local Plan Procedure Guide for advice on what such a statement should include.

SPQ1. The Council is requested to provide a Duty to Cooperate Topic Paper or Statement which meets the requirements of paragraph 1.15 of the Local Plan Procedure Guide and should include activities related to both neighbouring authorities and relevant prescribed bodies in the preparation of this Plan.

SPQ2. The response to PQ1 indicates that the Council has made a response to the consultation on South Gloucestershire's emerging Local Plan. It would be helpful if a copy of that response could be provided.

6. Prior to the start of hearings, it would also be beneficial if the Council could provide Statements of Common Ground with relevant prescribed bodies.

Habitat Regulations Assessment (HRA)

7. In response to PQ5, we are disappointed that Natural England have not responded to your requests for comment on the Appropriate Assessment (AA). While we recognise a response may be received prior to the above deadline, if this does not transpire, it would be helpful to understand if Natural England have provided the Council with any reason for the delay.

SPQ3. Unless Natural England have already responded to the AA by the above deadline, the Council are requested to provide an explanation as to what reasons they have been given for the failure to respond.

Should a response be provided before this date, then this should be provided to us as soon as possible, along with a note from the Council indicating what, if any, implications this may have for the Plan.

Site Selection Methodology

8. The response to our questions on the site selection methodology require some further clarification and have highlighted some additional issues on which we find additional information helpful.

SPQ4. The response to PQ13 refers to various mapping and assessment exercises which have taken place. Other than the SHLAA¹, is there any other document which sets out in detail the results of the assessments which took place?

SPQ5. The response to PQ17 provides some further information in relation to allocations bought forward from previous plans. It indicates two locations were identified as no longer being considered suitable due to biodiversity issues. However, other than point us to previous consultation documents, the response does not appear to indicate where, if at all, the assessment of previous unimplemented allocations has been documented. In this regard, we also note that these allocations have not been subject to Sustainability Appraisal. Given what paragraph 122 of the National Planning Policy Framework says about reviewing existing allocations, can the Council confirm on what basis these sites have been bought forward and whether any assessment is documented? If these assessments do not exist, then can the Council explain why it does not consider this to have been necessary?

SPQ6. Appendix D of the SHLAA identifies suggested allocations that have not been considered suitable for allocation. Appendix 4 of the Sustainability Appraisal identifies only one site as a 'reasonable alternative'. Could the Council clarify: (a) where in the evidence base are the assessments of sites *not* considered suitable for allocation in the Plan (ie where can a comparison of sites considered suitable for allocation be compared to those sites considered not suitable for allocation)? (b) why were sites identified in Appendix D of the SHLAA not considered 'reasonable' alternatives for consideration through the SA?

SPQ7. The response to PQ13 states that the SHLAA "documents sites which have not been allocated for numerous reasons, but which may not be inappropriate for development". We also note that, in some circumstances, Appendix D of the SHLAA states that a site has not been allocated but the "policy context allows for alternative development". Could the Council provide further clarification about what it means by these statements; for example, would residential development be considered an appropriate or suitable alternative development?

Gypsies and Travellers

SPQ8. In response to PQ93 the Council have indicated there is a recent approval of the use of vacant land at Western Drive Hengrove for the development of a permanent traveller site subject to planning consent (Cabinet decisions 7th February 2023 - Item 8). Could the Council please indicate how many plots that site is likely to accommodate against the requirement of a total of 67 pitches and when an application for planning permission is likely to be made or determined? Have the Council granted planning permission for any

¹ Document EVEH01 – Strategic Housing Land Availability Assessment (April 2024)

permanent pitches since January 2020 (the date set out in Appendix D of EVH04)?

SPQ9. In response to PQ94 the Council indicate that the definition of travellers set out in Planning policy for traveller sites has had no significant implication for the results of the Bristol Gypsy and Traveller Accommodation Assessment (EVEH04). Could the Council please provide an explanation as to why they consider this is the case?

Other Matters

9. The response to PQ68 suggests the Council does not consider it necessary to set out a housing requirement for designated neighbourhood areas because the associated Neighbourhood Plans have already been 'made'.

SPQ10. The Council acknowledges that the Plan does not set any housing requirements for designated neighbourhood areas. Does reference in the Council's response to the made Neighbourhood Development Plans (NDP) mean that it does not consider it *needs* to set a requirement to comply with paragraph 66 of the NPPF?

SPQ11. The plan periods of the three NDPs run to 2030. The Local Plan period runs to 2040. Without the requirements set out in paragraph 66 of the NPPF, on what basis would any review of the NDPs be undertaken?

SPQ12. Paragraph 67 of the NPPF refers to situations where it is not possible to provide a requirement figure for a neighbourhood area. Can the Council confirm whether or not any designated neighbourhood planning body has requested an indicative figure be provided?

10. PQ137 referred to the Environment Agency's representations, and potential additional Bristol Avon Flood Strategy modelling. Your response did not confirm whether this modelling had been completed or, if not, when this modelling is likely to be completed.

SPQ13. Could the Council confirm whether the additional modelling for the Bristol Avon Flood Strategy has been carried out since the Regulation 19 consultation took place? If so, have the results been published? If not, is additional modelling expected to be carried out and what timescales are envisaged?

Next steps

11. Subject to the response to these questions, we currently anticipate that the hearings will begin in the week beginning 24 February 2025. This will be confirmed in due course. This will allow sufficient time for the completion and publication of our Matters, Issues and Questions, for hearing statements to be prepared and for the notifications to be sent out. It also takes account of our own availability. If the Council has any concerns queries about this date, then please let the Programme Officer know.

12. We have asked the Programme Officer to upload this letter to the examination website. If the Council have any questions, please do not hesitate to contact us through the Programme Officer.

Yours sincerely

Louise Gibbons Steven Lee Benjamin Clarke

14 October 2024
