

## **Bristol City Council's response to Inspectors' matters, issues and questions**

### **Matter 16: Utilities and Minerals**

This statement sets out the council's response to the Inspectors' matters, issues and questions regarding utilities and minerals matters.

#### **Council's introduction**

The Inspectors' questions are shown below in ***bold italics*** with a border, following any preamble to the question also in ***bold italics***. The council's responses are shown in normal typeface below the Inspector's questions.

Suggested main modifications arising from the Inspectors' questions are set out in grey tint boxes.

#### **Responses to Inspectors' questions**

***Issue 16.1: Whether policies relating to utilities and minerals are justified, effective and consistent with national policy.***

##### ***Policy UM1: Telecommunications***

***Policy UM1 requires that developments be of an acceptable design; that developers investigate opportunities to share sites; and that there are no more suitable alternative sites for such proposals.***

***Q16.1: If a development were to be appropriately designed, should there be a need to consider alternative locations, particularly as this is not a requirement of Chapter 10 of the NPPF. Accordingly, is the policy in accordance with the NPPF?***

#### Council's response

1. Policy UM1 repeats the wording of the existing local plan Policy DM36: Telecommunications. It is consistent with the relevant aspects of the NPPF which have remained consistent since 2012. It allows for high quality digital infrastructure to be delivered and upgraded over time. It also contributes to national planning policies aim of keeping the number of radio and electronic communications masts, and the sites for such installations, to a minimum consistent with efficient operation and so on.

***Q16.2: Policy UM1 states that 'opportunities have been sought to share masts or sites with other providers and Paragraph 115 of the NPPF indicates that the siting of installation in existing masts, buildings and other structures is 'encouraged'. Consequently, is this policy in accordance with the NPPF?***

#### Council's response

2. The policy continues to be consistent with national planning policy as discussed in response to Q16.1.

### ***Policy UM2: Unstable Land***

***Q16.3: Is the policy justified, consistent with the national policy and effective?***

Council's response

3. Policy UM1 repeats the wording of the existing local plan Policy DM37: Unstable Land (DPD002). It is consistent with the relevant aspects of the NPPF which have remained consistent since 2012.

4. There are references in the explanatory text to the Coal Authority which will be updated to refer to the Mining Remediation Authority.

### ***Policy UM3: Minerals safeguarding areas***

***Q16.4: Is Policy UM3 justified, consistent with national policy and effective? In particular:***

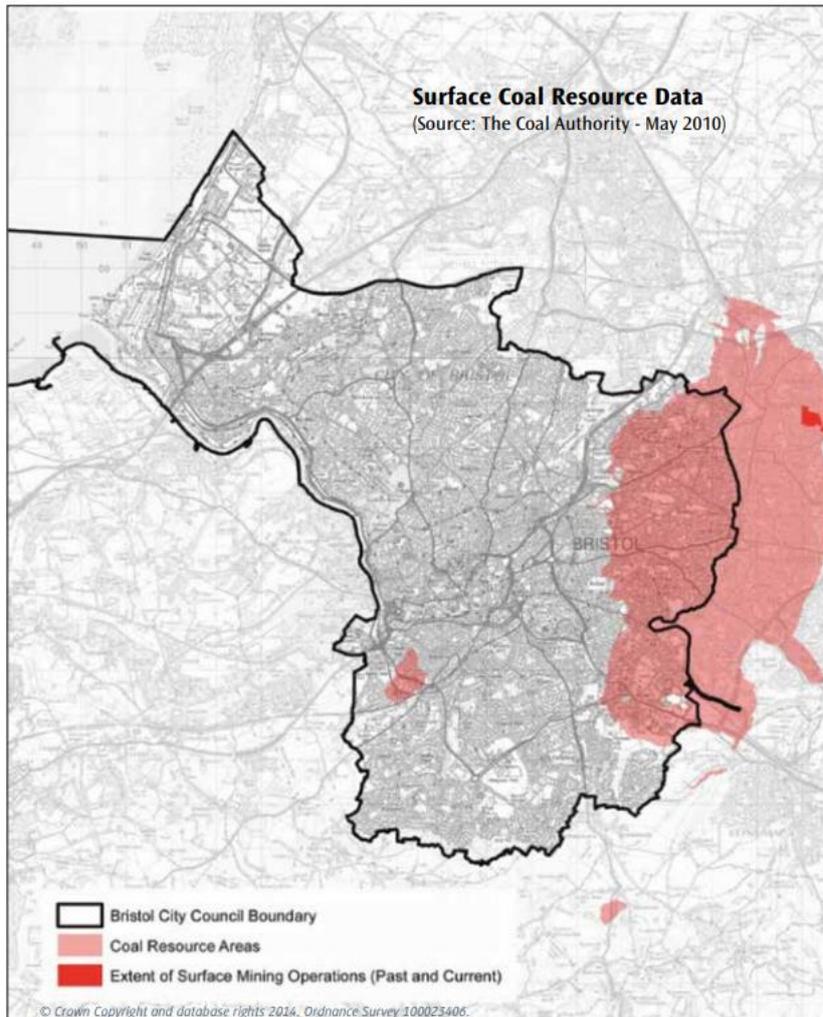
***a) Is the Plan and/or Policies Map clear as to the extent of the Coal Resource Areas outside the Minerals Safeguarding area?***

Council's response

5. The existing local plan (The Site Allocations and Development Management Policies Plan (DPD002)) contains a map (Map 5: Surface Mining Coal Resource Area) which shows the Coal Resource Area and explanatory text which states that within these areas the Coal Authority (Mining Remediation Authority) seeks consideration of the extraction of surface coal resources prior to development taking place, in order to prevent unnecessary sterilisation of the resource.

6. This text is included within paragraph 15.10 of the explanatory text to Policy UM3: Minerals Safeguarding Areas and it is suggested that to provide clarification on the extent of the Coal Resource Areas that a modification is made to include the map shown below with a reference to the map included in the text:

The Mining Remediation Authority ~~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 Map 15.1 below). Within these areas the Mining Remediation Authority ~~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.



7. There are references in the explanatory text to the Coal Authority which will be updated to refer to the Mining Remediation Authority.

**Q16.4 b) Is the approach to coal extraction in both MSA and Coal Resource Areas consistent with paragraph 217 of the NPPF?**

Council's response

8. The approach is consistent with paragraph 217 of the NPPF and repeats the wording contained within Policy DM38: Minerals Safeguarding Areas in the existing local plan (The Site Allocations and Development Management Policies Plan (DPD002)).

**Policy UM4: Sewage Treatment Works**

**Q16.5: Is the policy justified, consistent with the NPPF and effective?**

Council's response

9. The NPPF (NPPF September 2023, paragraph 20) notes:

*'Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:*

- a) housing (including affordable housing), employment, retail, leisure and other commercial development;*
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)'*

10. The land identified in policy UM4 has been safeguarded since the 1997 local plan, reflecting the need to ensure the long-term sustainability of this critical piece of infrastructure. The land is owned either by Bristol City Council or Wessex Water. Should this land be used for other purposes, the expansion of the works as and when required, could be hindered, potentially impeding its ability to meet demand from the area it serves. It is also unlikely that alternative sites would be easily available and so safeguarding land adjacent to the existing works is considered justified, consistent with the NPPF and effective.

***Q16.6: Is the safeguarding of land adjacent to the Avonmouth Sewage Treatment Works throughout the plan period justified and does it contribute to an effective policy?***

Council's response

11. As noted in response to Q.16.5, the NPPF requires local planning authorities to set out strategic policies to make sufficient provision for water supply and wastewater infrastructure. Given the critical role of the Avonmouth Sewage Treatment Works that it will continue to play into the future, safeguarding the land identified continues to be justified, especially given the likelihood that suitable alternative sites would not easily be available due to the scale required and the availability of associated infrastructure.

12. The land has been safeguarded for an extensive period and is owned either by Bristol City Council or by Wessex Water. Were alternative uses proposed for the site, retaining it for its intended safeguarded purposes would be appropriate and achievable.