

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

Matter 1: Legal, Procedural and Other General Matters

This statement sets out the council's response to the Inspectors' matters, issues and questions regarding legal, procedural and other general 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 1.1: Whether the Council complied with the Duty to Cooperate (DtC) in preparing the Plan

Section 33A of the Planning and Compulsory Purchase Act 2004 (the Act) sets out a duty to cooperate during the preparation of the Plan in relation to strategic matters¹.

The Council's response to PQ1 to PQ3 and to SPQ1 and SPQ2 provide additional information about engagement with local planning authorities and prescribed bodies on strategic matters during the preparation of the Plan. This also includes the requested 'Maintaining effective cooperation' Topic Paper².

In terms of meeting Bristol's unmet housing need, paragraph 32 of document ECA036a refers to a meeting of the West of England Unitary Authorities Planning Cabinet Members Meeting on 31 January 2023. Here it is noted that it was likely that a formalised request would be made by Bristol City Council for the other three UAs to contribute toward meeting any shortfall. Paragraph 36 refers to a letter dated 31 October 2023 setting out that formal request³.

Housing need and requirement

Q1.1: Has the Council's engagement with other local authorities on housing need, the housing requirement and the capacity of Bristol to accommodate housing (as set out in EXA036a), been carried out constructively, actively and on an on-going basis?

Council's response

1. Details of engagement with other local authorities on housing need, the housing requirement and the capacity of Bristol to accommodate housing is discussed in the two statements of common ground (PAL006 and PAL007), the council's answers to

¹ A "strategic matter" is (a) sustainable development or use of land that has or would have a significant impact in at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and (b) sustainable development or use of land in a two-tier area if the development or use is a county matter or would have a significant impact on a county matter [section 33A(4) of the 2004 Act].

² Document EXA036a

³ Document PAL008

preliminary questions and in the paper Maintaining Effective Cooperation (EXA036a).

Q1.2: Was there any discussion or engagement on the issue of unmet housing need prior to January 2023? Was this the first point at which the evidence determined there would be an issue in relation to this Plan?

Council's response

2. Unmet housing need and, at the time, the approach to distribution of an aggregated level of sub-regional housing need has been under discussion throughout the preparation of the local plan stretching back to 2018. The regulation 18 stage local plan consultation of March 2019 (PCD002) discussed the role of the Joint Spatial Plan which aimed to distribute an aggregated housing need identified for the sub-region.

3. In November 2022, the Bristol Local Plan Further Consultation (PCD003) discussed matters of housing need at that point and consulted on a housing requirement of 1,925 homes per year. Paragraph 4.8 of that document explained that the evidence indicated additional homes will need to be delivered elsewhere to ensure that the city's need for new homes did not go unmet. It advised that Bristol City Council was working with the neighbouring councils of North Somerset, South Gloucestershire and Bath & North East Somerset to consider whether and to what extent those needs could be met in those areas.

Q1.3: Between 31 January 2023 and the formal letter of 31 October 2023, what engagement took place between the local authorities on this issue? In addition, what engagement took place between October 2023 and submission of the Plan?

Council's response

4. Regular engagement continued throughout these periods at officer level.

5. One aspect of the engagement between 31 January and 31 October was the joint advisory meeting of September 2023 referred to in the Maintaining Effective Cooperation topic paper (EXA036a) paragraph 34.

6. By 31 October 2023 Bristol City Council had sent the formal letter referred to above. Following that the neighbouring authorities were considering through their plan processes the request regarding unmet need, and this continues.

Q1.4: Did the Council raise the issue of unmet housing need with any local authorities other than North Somerset, Bath & North East Somerset and South Gloucestershire? If not, why?

Council's response

7. The issue of unmet need was discussed with the three immediate neighbouring authorities in the West of England. With Bristol, these authorities encompass the Bristol urban area, its rural surroundings and neighbouring settlements. These areas extend between 20 to 30km from Bristol. They include the surrounding city and towns of Bath, Keynsham, Midsomer Norton and Radstock, Thornbury, Yate, Weston-Super-Mare, Clevedon, Portishead and Nailsea and span the sub regional transport networks. For practical purposes and under the current arrangements for

strategic planning these are the areas within which unmet need might reasonably be addressed, having regard to housing markets and functional economic areas. They form the most appropriate functional geographical area to gather information and develop policies to address strategic matters (as referred to in Plan-making guidance paragraph 17) as discussed in the statements of common ground.

8. As part of the preparation of the halted Spatial Development Strategy there was some engagement from August 2020 with a wider geography of authorities including those in Wales. That process did not identify any proposals for addressing unmet need in areas at a greater distance from the city (EXA036a Maintaining Effective Cooperation topic paper Appendix 3 paragraph 2.7 and Appendix 2 of that appendix).

Q1.5: With regard to the Planning Practice Guidance (PPG⁴), has the Council reasonably done all it can to deal with its unmet housing need but has not been able to secure the cooperation of other authorities?

Council's response

9. The neighbouring authorities have actively and constructively cooperated in the consideration of this issue and have undertaken to consider the matter of unmet need through their local plan processes. This is addressed in the statements of comment ground and with further information in Maintaining Effective Cooperation topic paper (EXA036a). At the time of submission of the local plan no agreement or decision to accommodate any unmet need had been made.

Q1.6: What is the current situation with regard to how Bristol's unmet need would be addressed? With regard to paragraph 35c of the National Planning Policy Framework (NPPF), have cross-boundary strategic matters relating to this issue been dealt with rather than deferred?

Council's response

10. Each surrounding authority is considering through its own plans whether they could contribute towards meeting a proportion of the unmet housing need. This is referred to in the Maintaining Effective Cooperation topic paper (EXA036a).

11. Whilst this plan is being examined against NPPF September 2023, it is relevant and material that if the Bristol Local Plan is adopted it is expected that it will be subject of the provisions of NPPF December 2024 which states:

"...if the housing requirement in the plan to be adopted meets less than 80% of local housing need the local planning authority will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (as soon as the relevant provisions are brought into force in 2025), in order to address the shortfall in housing need."

12. The Deputy Prime Minister (MHCLG Chief Planner's Planning Newsletter 13 December 2024) has asked local authorities to provide updated timetables for their local plans in March 2025 with new Local Development Schemes to be adopted.

⁴ ID 61-022-20190315

13. This confirms a process where plans in progress that are subject to the NPPF's transitional provisions are able to be adopted where they meet less than 80% of local housing need. Shortfalls in housing need are then addressed via new local plans which will begin under the revised plan-making system.

14. If the new Bristol Local Plan is adopted with a housing requirement that meets less than 80% of standard method local housing need (as Policy H1 indicates) the authority will begin working on a new plan, within the new plan-making system, to address the shortfall in housing need.

Other strategic matters

Q1.7: What other strategic matters have been identified, as defined by section 33A(4) of the Act, including any site allocations that may have strategic cross-boundary implications? This includes those which relate to engagement with prescribed bodies.

Council's response

15. Other strategic matters are considered in the two statements of comments ground: Joint West of England (PAL006) paragraphs 3.4 to 3.38 and North Somerset Bristol (PAL007) paragraphs 3.4 to 3.29.

16. Site allocations are referred to in Joint West of England (PAL006) paragraph 3.34 to 3.38 and North Somerset Bristol (PAL007) paragraph 3.27.

17. Matters relating to prescribed bodies are discussed in Maintaining Effective Cooperation (EXA036a) paragraphs 43 to 46 and its Appendix 1.

Q1.8: In seeking to address these matters, has the engagement with other local authorities and prescribed bodies, as set out in the 'Managing effective cooperation' Topic Paper, met the requirements of the Duty?

Council's response

18. This is discussed in Maintaining Effective Cooperation (EXA036a) paragraphs 43 to 46 and its Appendix 1.

Q1.9: With particular regard to prescribed bodies, where Appendix 1 to document EXA036a identifies consultation only having taken place at various stages of plan-making, is this sufficient to demonstrate that the duty has been met?

Council's response

19. Consultation occurred at the points identified in Maintaining Effective Cooperation topic paper (EXA036a) Appendix 1 but this was not the only aspect of cooperation between the prescribed bodies and the council. This is discussed in paragraph 45 of that paper and also Appendix 1 which refers to liaison meetings between with the various bodies outside of local plan consultations.

Q1.10: Is the process of cooperation demonstrated with clear evidence, including Statements of Common Ground (SoCG) as expected by NPPF paragraph 27 and the Planning Practice Guidance?

Council's response

20. The process of cooperation is evidenced in the statements of common ground: Joint West of England (PAL006) North Somerset Bristol (PAL007); Maintaining Effective Cooperation (EXA036a); and in the council's response to inspectors' preliminary questions.

Q1.11: Do the SoCG that have been produced identify relevant strategic matters, actions in relation to cross boundary issues, and the outcomes of actions taken?

Council's response

21. This is set out in the relevant sections of the two statements of common ground.

Q1.12: Has any local authority or prescribed body concluded the duty to cooperate has not been met?

Council's response

22. From the representations received, it is evident that no local authority or prescribed body has concluded that the duty to cooperate has not been met.

23. The city council considers that the relevant authorities and bodies have cooperated in the process of preparation of the local plan insofar as it relates to strategic matters.

Overall

Q1.13: Does the evidence demonstrate that the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to advice contained in the NPPF and the PPG?

Council's response

24. This is addressed in the statements of common ground: Joint West of England (PAL006) North Somerset Bristol (PAL007); Maintaining Effective Cooperation (EXA036a); and in the council's response to inspectors' preliminary questions.

Issue 1.2: Whether the Plan prepared in accordance with all other relevant legal requirements.

Sustainability Appraisal (SA)

Local planning authorities are required to carry out a sustainability appraisal during the preparation of local plans and prepare a report of its findings⁵.

⁵ Sections 19(5) and 39 of the 2004 Act, and *the Environmental Assessment of Plans and Programmes Regulations 2004*

Bristol City Council carried out a Sustainability Appraisal (CSD004), during the preparation of the Plan.

Q1.14: Is there any substantive evidence to demonstrate that the sustainability appraisal failed to meet the relevant legal requirements?

Council's response

25. The Sustainability Appraisal of the Bristol Local Plan Pre-Submission Publication Version (2023) (CSD004) assesses the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. The SA incorporates the requirements of the Strategic Environmental Assessment Regulations. The sustainability appraisal ensures that potential environmental effects are given full consideration alongside social and economic issues.

Q1.15: Did the sustainability appraisal consider and compare reasonable alternatives as the Plan evolved, including for housing and employment need and distribution, local plan policies and site allocations?

Council's response

26. The Sustainability Appraisal of the Bristol Local Plan Pre-Submission Publication Version (2023) (CSD004) considered and compared reasonable alternatives as the plan evolved. The SA (CSD004) noted in section 3.3 the changes in the strategic planning context within the West of England which affected the evolution of the Sustainability Appraisal. It continued by reconsidering whether there were reasonable alternatives to the plan strategy.

27. The Sustainability Appraisal explained how reasonable alternatives for housing need (5.1.1 Strategic Options: Reasonable Alternatives for Housing Need) and distribution (5.1.2 Strategic Options: Reasonable Alternatives for Housing Distribution) were considered.

28. Section 5.1.3 of the SA discussed employment need and distribution. The SA explored two Reasonable Alternatives for Employment Growth and Distribution (5.1.3).

29. Appendix 3 of the SA (CSD004c) addresses policies. It outlines the reasonable alternatives considered and compared by policy area.

30. Appendix 4 of the SA (CSD004d) addresses sites. It documents the reasonable alternatives assessed for Site Allocations. This approach regarding certain sites is discussed in the response to SPQ6 (EXA36).

Q1.16: Is the overall spatial strategy an appropriate strategy, taking into account reasonable alternatives?

Council's response

31. The local plan has been submitted for examination on the basis that it contains an appropriate spatial strategy, having regard to the relevant evidence and the sustainability appraisal.

Q1.17: Have the areas of regeneration and growth been identified on a robust and consistent basis, having regard to reasonable alternatives?

Council's response

32. The council's response to PQ22 (EXA024) is relevant to this question. The Sustainability Appraisal considers these areas (i.e. policies in the Local Plan's Development Strategy chapter) in Appendix 3 (CSD004c) with reasonable alternatives discussed on page 5.

33. The areas identified by the development strategy policies represent areas of opportunity for urban regeneration consistent with the objectives of the NPPF (September 2023). They arise from:

- a combination continuation or extension of existing local plan policy (policies DS1, DS1A, DS2, DS4-5 in part);
- a reflection of wider regeneration initiatives (policies DS3-5, DS8, DS13-14); and
- areas drawn from the urban potential assessment (policies DS6-7, DS9).

34. Further information detailing a summary of each area's potential and key constraints is set out in Appendix A of the SHLAA report (EVEH01).

35. Policies DS1 – DS12 relate to the development strategy. These policies set the direction for broad areas of the city and include specific locations for regeneration and development. These represent the spatial expression of the majority of Local Plan aims and objectives, and define an approach for inclusive and sustainable growth, enabling the delivery of 1,925 new homes a year up to 2040 and aiming to exceed this housing target where supported by infrastructure and services. By identifying broad areas for growth, these policies are seeking to take a plan-led approach to promoting areas with the potential to increase densities and make efficient use of under-used land; this includes transforming some areas of the city to create communities with new homes, work places and public open spaces, as set out in the aims of the Local Plan (p.6 CSD001).

36. The reasonable alternatives considered are as those identified for housing and employment need and distribution in the response to Q1.15 above. The areas of growth and regeneration reflect wider regeneration initiatives and focus on previously developed land.

Q1.18: What is the reason for having Assessed Scenarios in the Sustainability Appraisal and how did they inform the findings?

Council's response

37. The use of assessed scenarios in the sustainability appraisal is discussed in appraisal report section 5 Developing the Local Plan Options including the Strategic Reasonable Alternatives (Stage B2) starting on page 38 through to page 42.

38. The sustainability appraisal (CSD004) includes four assessed scenarios, two relating to housing need, one relating to housing distribution and one relating to employment need:

Housing need

- Assessed Scenario 1: Meet Annual Local Housing Need (approx. 2,500 dwellings per year).

- Assessed Scenario 2: Government's (*then*) Standard Method calculation (approx. 3,380 dwellings per year [*would now be 2,986 dwellings per year as at December 2024*]).

Housing distribution

- Assessed Scenario: Making best use of urban land with limited Green Belt release (the 'Pre-Submission Publication Version 2023 option' plus Yew Tree Farm)

Employment need

- Assessed Scenario 1: Prioritising employment land supply to match requirement within the ELS

39. The assessed scenarios are alternative options raised through consultation responses, which are otherwise not considered 'reasonable'. These include alternative options which may initially present as alternatives to the plan strategy, however, on detailed review do not achieve the Plan Objectives or are not considered to be genuinely credible options. They are included for completeness but as they are not genuinely credible options have not been assessed as reasonable alternatives.

40. The assessment of these scenarios supports the identification of the reasonable alternatives, further reinforcing the case that because as a largely urban area, with an emphasis on redevelopment of previously developed land and where there are few undeveloped sites, there are fewer genuinely reasonable alternatives in the Bristol context than may be available elsewhere.

Q1.19: The SA states that appraisals of allocations and policies carried forward from earlier Plans were not subject to SA. Is this approach justified and does it meet the relevant legal requirements?

Council's response

41. The Sustainability Appraisal undertakes an appraisal of the sustainability effects of the plan as a whole, consistent with the relevant legislation, regulations and guidance. Its relevant appendices consciously and clearly address the site allocations (39) and policies (9) which have been brought forward from the current local plan (DPD002 and DPD003) taking an appropriate and proportionate approach to re-appraisal which is consistent with the planning practice guidance.

42. Policies are discussed in Appendix 3 Sustainability Appraisal Publication Version November 2023 Draft Local Plan Sites (CSD004c). With regard to the nine policies described as 'retained' from the current local plan, pages 199 to 202 provide a commentary.

43. With regard to site allocations, the council's response to Inspectors' supplementary preliminary question SPQ5 (EXA036) is relevant to this question. The response refers to Appendix 4 of the SA Predicting and evaluating the effects of Publication Version November 2023 Draft Local Plan Sites (CSD004d) which documents the approach regarding the site allocations retained from the current local plan.

44. For information (and as discussed under Matter 4) site allocations retained from the existing local plan are continuing to be implemented. Of the 39 sites in the Bristol

Local Plan Publication Version November 2023, 9 sites now have planning permission (including 6 with estimated capacities of over 40) with several at a more advanced stage of delivery. Almost half of the approximately 2,500 homes provided for in the 39 sites have planning permission.

Habitats Regulation Assessment (HRA)

The Habitat Regulations Assessment Appropriate Assessment of the Plan⁶ concludes that for Avon Gorge Woodlands Special Area of Conservation (SAC) and Severn Estuary European Marine Site (EMS) negative air quality effects, in the absence of mitigation, could lead to an Adverse Effects on Integrity (AEol) via habitat degradation. It also concludes that with proposed mitigation in place, AEol can be ruled out to the Avon Gorge Woodlands SAC and Severn Estuary EMS from negative air quality effects.

It goes on to state that AEol created by the Plan alone via recreational disturbance to Avon Gorge Woodlands SAC can be ruled out, however in-combination effects cannot be ruled out when considered collectively with other adjacent authorities and the recreational disturbance generated from their areas too. Mitigation measures are identified. For other European Designated Sites, the AA concludes that AEol can be ruled out.

The Appropriate Assessment (AA) was concluded subsequent to the publication of the Plan for consultation. As confirmed by the responses to PQ5 and SPQ3, Natural England have not commented on the outcome of the AA. No explanation has been provided as to why a response has not been forthcoming.

Q1.20: Has the Habitat Regulations Assessment (HRA) been carried out in accordance with the Conservation of Habitats and Species Regulations 2017?

Council's response

45. Section 2 of the Appropriate Assessment (AA) report (PAL005) sets out the legal basis for the HRA: specific reference is made to the Conservation of Habitats and Species Regulations (2017) (as amended) which transpose the relevant articles of the EU Habitats Directive into domestic law. Section 4 of the AA report sets out the HRA process with references to the relevant regulation at each stage. Section 5 sets out the methodology in more detail.

Q1.21: Is there any substantive evidence to suggest the findings of the HRA are not robust?

Council's response

46. There is no evidence to indicate that the findings of the HRA are not robust.

47. The Appropriate Assessment (AA) report (PAL005) was published in April 2024 with the submission of the local plan. An HRA screening report was published alongside the local plan in November 2023.

⁶ Document PAL005

48. While the AA report was not available for representations at the Regulation 19 local plan publication stage, the screening report was available. No representations were made at the Regulation 19 stage that indicated any concerns with the approach of the then emerging HRA.

49. The council met with Natural England officers on 27 January 2025. Natural England's observations are discussed under Q1.23 below.

Q1.22: Does the Plan include the mitigation recommended by the HRA?

Council's response

50. In its assessment of impacts, the Appropriate Assessment (AA) report (PAL005) sets out the mitigation that is embedded in the local plan which minimises the risk of adverse effects on integrity (AEoI) on habitats and species as a result of development:

- In relation to Hallen Marsh Habitat Mitigation, policy E4;
- In relation to air quality, policies T1, T2, T3A, T4A, T6 and HW2;
- In relation to the specific impact of wind turbines, policy NZC5; and
- In relation to direct habitat loss, loss of functionally linked land or any other impact on habitats or species identified by project-level assessment, policy BG2.

51. The AA report goes on to make a variety of additional recommendations, many of which relate to monitoring and modelling activities to be undertaken outside the context of the local plan. The council's response to PQ6 (EXA024) sets out a response to each of these recommendations.

52. The AA report concludes overall that AEoI will not arise from the local plan. The recommendations do not indicate that the local plan as drafted should be modified for reasons related to the habitat regulations.

Q1.23: Have Natural England been consulted on the preparation and content of the HRA and any associated Appropriate Assessment, as required by the relevant regulations?

Council's response

53. The Appropriate Assessment (AA) report (PAL005) sets out the process undertaken to that point. It details engagement with Natural England that took place at the screening stage and reports their response in full at Appendix A2.

54. The AA report also notes at various points the representations made by Natural England on the Regulation 19 publication local plan, informed by their earlier response to the screening stage.

55. The AA report was published with the submission of the local plan in April 2024, after the Regulation 19 local plan publication stage, but additional engagement has been sought with Natural England in the intervening period.

56. Natural England were initially contacted in May 2024, and again on subsequent occasions. The council met with Natural England officers on 27 January 2025. At the meeting, Natural England expressed broad support for the findings of the AA report,

which the council understands will be reflected in the agency's response statement to Matter 1. Natural England also recommend that a modification should be made to policy DS4 to specifically address the potential future impact of development at Western Harbour on the Avon Gorge Woodlands SAC. While not required as a direct result of the AA report, the council has prepared the following text for a potential modification, which has also been added to the schedule of suggested main modifications (EXA002).

Policy DS4, policy text – after paragraphs on flood risk, insert:

Recreational impacts – mitigation strategy

Development of new homes in Western Harbour will be expected to accord with a mitigation strategy, prepared with the involvement of the local planning authority and relevant landowners / managers, that will assess any potential impact of additional recreational pressures on the Avon Gorge Woodlands Special Area of Conservation and provide any necessary mitigation measures.

Policy DS4, explanatory text – insert additional paragraph:

3.1.38B The Western Harbour area is relatively close to the Avon Gorge Woodlands Special Area of Conservation (SAC), which could potentially experience effects from increased recreational pressures arising from the development of new homes. To ensure that any increased demand for outdoor recreation does not adversely impact the SAC, policy DS4 incorporates a requirement for development in Western Harbour to accord with a mitigation strategy. Mitigation measures which may be appropriate to address any potential adverse impact on the SAC include enhancements to green spaces within the Western Harbour area and/or financial contributions to off-site mitigation measures.

Local Development Scheme (LDS)

It is a requirement that Councils publish a Local Development Scheme (LDS). This should detail the documents that make up a Local Plan and provide a timetable for preparing the Plan.

Q1.24: Has the Plan been prepared in accordance with the provisions of the LDS?

Council's response

57. The plan has been prepared in accordance with the provisions of the LDS, the latest version of which (PAL002) was published in November 2022 with the timetable updated in July 2023.

58. The LDS identifies on p.2 the preparation of the new Bristol Local Plan, its proposed subject matter and plan period as well as the existing Bristol Local Plan development plan documents it will replace.

59. Regarding the Regulation 18 preparation stage of the new Plan, the LDS confirms that draft proposals and policies were published for consultation in February 2018, March 2019 and November 2022.

60. It also sets out that the Regulation 19 publication of the Plan would take place in November 2023, which accords with the actual publication date of 21 November 2023.

Regarding the Regulation 22 submission of the Plan, the LDS identifies that this would be in Spring 2024. This corresponds with the actual submission date of 25 April 2024.

Public Consultation and Statement of Community Involvement (SCI)

Paragraph 16 of the NPPF requires that plans are shaped; amongst other matters; by early, proportionate and effective engagement between plan-makers and communities, and other organisations and consultees. This process can be planned through a Statement of Community Involvement.

Q1.25: Has the consultation process undertaken by the Council been in accordance with its Statement of Community Involvement and the relevant Regulations?

Council's response

61. The Statement of Consultation (CSD006) provides the evidence that the consultation process undertaken was in accordance with the adopted Statement of Community Involvement (PAL003) and the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Statement of Community Involvement

62. The Statement of Consultation (CSD006) sets out the range of engagement methods used during the Regulation 18 preparation stage – see pp.A226-A231 for details. The methods deployed accord with those identified on p.12 of the Statement of Community Involvement (PAL003). They included:

- consultation documents;
- council website, e.g.
 - awareness-raising articles published on its 'Newsroom' pages;
 - Planning Policy pages containing consultation documents and information on how comments could be made;
 - the 'Ask Bristol' online consultation and engagement hub, where consultations were publicised and comments sought via questionnaires / surveys.
- discussion events, e.g. workshops / round-table discussions;
- drop-in events / exhibitions in accessible locations;
- emails and letters to members of the Planning Policy consultation database;
- meetings to discuss and gain feedback on emerging proposals and policies. These included regular liaison meetings with local amenity and business representative groups, as well as ongoing meetings with neighbouring councils and statutory bodies;
- press releases and launches to publicise Local Plan consultations;
- questionnaires / surveys produced for Local Plan consultations placed on the Ask Bristol online consultation and engagement hub;

- social media, for example postings about Local Plan consultations on Ask Bristol's Twitter account; and
- an on-going Call for Sites exercise in which developers, landowners, businesses and other organisations were invited to put forward potential sites for new homes and/or economic development within Bristol.

Consultation requirements of the Regulations

63. The Regulations provide flexibility about how local planning authorities carry out the Regulation 18 preparation stage of a local plan by setting minimum requirements. The Statement of Consultation (CSD006) sets out on p.A226 how the requirements were met through the relevant bodies and persons being notified about the publication of the initial Local Plan Review consultation document in February 2018 and being invited to make representations. Further consultation documents were published for comment in March 2019 and November 2022.

64. Regarding the Regulation 19 pre-submission stage, the Statement of Consultation (CSD006) sets out how the Regulation 19 requirement was met. It describes on pp.5-6 how copies of the proposed submission documents were made available and how bodies and persons were notified and invited to make representations. The Statement of Consultation (CSD006) also provides a comprehensive summary on pp.A8-A224 of the main issues raised by representations made at the Regulation 18 stage and how they were addressed in the Local Plan Publication Version (CSD001).

Equalities

Public authorities are required under section 149 of the Equality Act 2010 to have due regard to the following aims when exercising their functions:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;***
- b) advance equality of opportunity between persons who share a relevant protected characteristic⁷ and persons who do not share it;***
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.***

Q1.26: In what ways does the Plan demonstrate that due regard has been had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a protected characteristic?

Council's response

65. The council has undertaken an Equality Impact Assessment (EqIA)(PAL004) of the Bristol Local Plan Publication Version (CSD001). This provides the evidence as to how the council has complied with the public sector equality duty (section 149 of the Equality Act 2010).

⁷ Age; disability; gender reassignment; marriage and civil partnerships; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

66. The EqIA includes a systematic evaluation of the potential impacts of policies on people who share protected characteristics of:

- age;
- disability;
- gender reassignment;
- marriage and civil partnerships;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

67. The assessment also considers and has regard to other relevant characteristics including deprivation (EqIA paragraph 1.4).

68. The assessment indicates that the majority of policies within the plan are likely to have positive impacts with no policies found to have negative or discriminatory impacts. All of the policies within the new local plan have been designed and drafted to deliver the plan's stated overarching aim/objective to achieve inclusive and sustainable growth and development addressing the needs of everyone in all parts of the city (Local plan paragraph 2.6). Particular policies have been designed to seek the elimination of discrimination or advancement of equality or the fostering of good relations between people (EqIA paragraph 3.17).

Climate Change

Section 19(1A) of the 2004 Act, requires that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

Q1.27: Does the Plan, taken as a whole, include policies designed to ensure that the development and use of land in Bristol contributes to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004 (as amended)?

Council's response

69. The publication version of the Bristol Local plan meets the statutory requirement to secure that the development and use of land in the local planning authority's area contributes to the mitigation of, and adaptation to, climate change.

70. The plan includes policies which both directly and indirectly address the role development plays in contributing to climate change:

- Policies NZC1-5 provide a comprehensive approach to mitigating and adapting to climate change, taking account of operational and embodied carbon, adaptation to a changing climate and its associated risks and the need for renewable energy generation and energy efficiency improvements across the city.
- Policies FR1 and FR2 address flood risk, having regard to climate change.

- Policies for design and green infrastructure seek to ensure development is resilient to the effects of climate change.
- Policy E4 provides a policy context which supports the development of renewable energy.

71. One of the stated objectives of the local plan (paragraph 2.7) is to actively respond to the climate and ecological emergencies whilst securing sustainable development. This objective is reflected throughout the local plan including in its policies for making efficient use of land, enabling regeneration and a development strategy which encourages the use of active and sustainable forms of transport.

Superseded policies in existing plans

Regulation 8(5) of the 2012 Regulations states that where a local plan contains a policy that is intended to supersede another policy in the adopted development plan, it must state that fact and identify the superseded policy. The Council's response to PQ7 suggests a main modification would be needed to clarify which policies are to be superseded by the Plan.

Q1.28: Does the Council's suggested main modification, as set out in EXA002.1 ensure compliance with Regulation 8(5)?

Council's response

72. The suggested modification ensures compliance with Regulation 8(5) by making clear that the new local plan's policies will replace all those of the existing Bristol Local Plan's development plan documents. It specifically identifies these as the Bristol Core Strategy (June 2011), the Site Allocations and Development Management Policies Local Plan (July 2014) and the Bristol Central Area Plan (March 2015).

Monitoring framework

The Council has suggested a modification to the Plan to include a new monitoring section and other changes to reasoned justification.

Q1.29: Is the proposed modification following paragraph 1.1.5 set out in document EXA02.1 necessary to make the Plan sound? Would the resulting monitoring framework be effective?

Council's response

73. The suggested modification links the plan to the Authority's Monitoring Report and ensures consistency with the guidance in National Planning Practice Guidance Plan-Making.

74. The monitoring framework will enable an understanding of progress on the targets or provision for land uses made in key strategic policies.

75. It is suggested that the proposed modification is adjusted to reflect the arrangements for plan review set out in the latest NPPF (December 2024) to read as follows:

Monitoring and review

Monitoring of local plan policies enables the council to understand their effectiveness in delivering the plan's vision and objectives and informs whether review is required.

The Authority's Monitoring Report is the principal mechanism for monitoring the local plan. It will report on the progress made in achieving targets set for key strategic policies relating to housing and workspace provision. The council will commence a review of the local plan in accordance the arrangements set out in the National Planning Policy Framework December 2024 paragraph 236. The Authority's Monitoring Report will inform this review.