



Document Control

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For and on behalf of Copperfield L&P Ltd

Revision	Date	Notes	Prepared	Approved
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1. MATTER 1: Legal Compliance & Procedural Matters

Introduction

1. Copperfield made representations to the Regulation 19 addendum consultation in January 2024. These representations focussed on the wider issue of Housing growth and delivery and most specifically raised objections to the failure of Bristol City Council to reach any meaningful agreement with the neighbouring authorities of South Gloucs, BANES and North Somerset on the Duty to Cooperate and Housing Growth.
2. This hearing statement reflects the representations previously made and is focused on the Inspectors' MIQs that are relevant or need additional explanation beyond those earlier submissions.
3. Set out below are the responses to the relevant MIQs.

Issue 1.1 Whether the Council has complied with the Duty to Cooperate (DtC) in preparing the Plan

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?

4. Copperfield maintains an **objection** to the Councils policy H1 to deliver only 1,925 houses per annum. Whilst we acknowledge the development constraints being experienced by the City Council the Local Plan Policy position and supporting evidence base raise significant concerns as to how Bristol can meet its Local Plan aims and objectives if an effective strategy for dealing with unmet need is not in place.
5. The Council have published evidence base documents titled 'Housing need and supply position paper November 2023' which sets out clearly the objectively assessed needs for housing within Bristol.
6. It is clear that the Council's policy H1 position under delivers by 675 new homes each year against its own evidence base housing needs assessment. This under delivery rises to 1,455 homes per annum when set against the Governments 35% uplift Standard Method applicable to the examination of this local plan.
7. The Councils conclusions on housing delivery are clearly stated on page 67 of the Reg 19 Bristol Local Plan. Not all the Cities objectively assessed needs can be met within its boundaries. The Council clearly state that it will work with worked 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 neighbouring areas.
8. The latest position for each of the three authorities mentioned above is confirmed below.



9. South Gloucs Council have now published their own Reg 19 plan which is due to commence consultation in February 2025 with a view to submission to PINS in spring 2025. The emerging South Gloucs Plan will be examined under the NPPF published on 5 September 2023 and the previous Standard Method and as such is aligned (at present) to the Bristol Local Plan EIP in terms of Housing Delivery. South Gloucs Reg 19 (page 61) has concluded that there is no capacity to accommodate Bristol's unmet need without significant adverse impacts. These impacts have not been tested through examination at this time with the South Gloucs Local Plan running nearly 12 months behind Bristol City Local Plan.
10. BANES Council have recently published and updated LDS. This confirms that a Regulation 19 plan won't be published until April 2026 at the earliest. Planning for housing will need to meet the December 2024 NPPF and the new Standard Method for Housing.
11. North Somerset Council are currently working to update previously local plan work to meet the December 2024 NPPF and the new Standard Method for Housing.
12. Overall, we are no closer to any of the neighbouring authority areas accepting or agreeing how to deal with Bristol's unmet housing need.
13. Whilst we accept that Bristol cannot force these authorities to engage constructively, if the Bristol City Local Plan is to be found sound, then we would strongly encourage PINS guidance being issued on how unmet need should be accommodated in any of the neighbouring Local Plan's. Clear guidance would assist examination of neighbouring plans and allow the Bristol EIP to conclude that unmet need would be provisioned for under other Local Plan processes.

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?

14. It is documented in EX036a that the four local authorities had looked at sub regional growth through the preparation of the WECA Joint Spatial Plan (JSP). The JSP was submitted for examination in April 2018 but was withdrawn in April 2020. That plan was never part of the strategic policy framework and has no bearing on the examination of the current Bristol Local Plan.
15. EX036a Para 24 includes a table summarising growth numbers for the four local authorities under the JSP and it is notable that none of the figure align or relate to Standard Method figures in the NPPF under which the Bristol Local Plan is being tested.
16. It is Copperfields view that none of the work completed under the WECA framework or the JSP can be referenced as evidence of co-operation leading to any form of agreement on the current distribution of housing.
17. We also note the Councils reference to the Strategic Development Strategy (SDS). Work on this document as also been halted in May 2022. The principle reason why the SDS process failed related to housing numbers and the distribution of growth across the sub region. To suggest



this process, which failed to result in any form of draft plan being published amounts to effective or constructive co-operation is clearly not correct.

18. We acknowledge that on 31st January 2023 a meeting of the relevant elected members from Bristol, Bath and North East Somerset, South Gloucestershire Council and also North Somerset Council discussed joint strategic matters. We also note that other than the agreement to prepare SOCG documentation (subsequently referenced as PAL006 and PAL007), that no formal agreement on housing distribution or meeting unmet need was reached.

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?

19. The position of each constituent local authority covered under the DTC is set out in para 9, 10 and 11 of this statement. In summary, there is no evidence that any meaningful engagement leading to any form of constrictive agreement to meet Bristol's unmet need has been reached.
20. EXA036a para 37 states that the neighbouring authorities are considering the matters of unmet housing need through their on-going local plan process. However, South Gloucs Reg 19 Local Plan as published concluded South Gloucs can't meet any of the requirement. Both BANES and North Somerset are now planning on new Standard Method figures and neither authority has prepared or published a Reg 18 Plan that meets current housing need form their own areas or Bristol unmet need.
21. It should also be noted that SOCG documents PL006 and PL007 have been prepared on the matter of unmet need. Both documents were drafted by BCC and are dated April 2024 before the publication of the new NPPF. Neither document advances the understanding of any meaningful or constructive dialogue between the parties. For BANES and North Somerset, the advent of the new NPPF has substantially altered their LDS program with new larger housing targets for both authority. For South Gloucs, the publication in February 2025 of a Reg 19 local plan to be submitted for examination clarified that unmet need can't be accommodated.
22. Copperfield acknowledge that engagement between the parties has taken place but that no real co-operation is evident to adequately deal with the matter of Bristol unmet need. This situation is now exacerbated with two of the WECA authorities progressing under previous Standard Methodology figures and the other two now adopting higher new Standard Methodology housing targets.
23. We would also acknowledge that through various Local Plan publication on the issue of unmet need, that none of the WECA constituent authorities contest that Bristol has an unmet housing need. It is reasonable to conclude through the SOCG published that neighbouring authorities agree that Bristol can't meet its housing requirement in the Bristol Local Plan.
24. Acknowledging an unmet need and not planning to address unmet need undermines the effectiveness of the Local Plan. To be sound clear direction should be provided as to how



unmet need will be addressed through the publication of any future Local Plan for South Gloucs, BANES or North Somerset.

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?

25. Copperfield are not aware that Bristol Council have consulted beyond the WECA constituent authorities, or that evidence has been published that identified other local authorities would or could make any meaningful contribution to Bristol Local Plan unmet need.

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?

26. Copperfield accept that Bristol City Council have complied with the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations.

27. The consultation undertaken in good faith with the other three Local Authorities meets the obligations of the 2004 Act and 2012 Regulation as a process but the lack of effectiveness in response from neighbouring authorities will compromise the ability of the Bristol Local Plan to plan effectively in its area.

28. In the absence of a Strategic Plan covering the constituent authority areas direction needs to be provided as to how South Gloucs, BANES and North Somerset can plan effectively to meet Bristol's unmet need.

End.