

Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 2: Housing Need, Requirement and Supply

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

Matter 2: Housing Need, Requirement and Supply

Issue 2.1: Whether the Plan establishes a housing requirement figure that is positively prepared, justified and consistent with national policy (Policy H1). Objectively Assessed Housing Need

The Council's response to PQ64 confirms that the objectively assessed housing need for Bristol has been established using the standard methodology set out in national policy. This arrives at a figure of 2,503 dwellings per annum (45,054 dwellings between 2022 and 2040). The 35% cities and urban areas uplift required by the PPG8 increases this figure to 3,380 dwellings per annum (60,840 dwellings).

Q2.1: Is the objectively assessed housing need (OAHN) for Bristol of 3,380 dwellings per annum (60,840 during the plan period) based on an approach consistent with paragraph 61 of the NPPF?

No. HBF have provided extensive and detailed comments on our significant concerns about the Council's approach to the calculation of the standard method figure and establishing the housing requirement for Bristol, in our Regulation 19 response, see in particular para 39 to 81. The Council has not addressed any of our concerns and as such although they are not repeated here, they remain outstanding.

In HBF's view the Council's response to the initial questions on the issue of housing need set out in EXA024 BCC response to Inspectors' Document IN2, are both incorrect and disingenuous. In order to comply with the standard method housing figures calculation, the Council is required to use the relevant standard method applicable at the time in full. To fail to do this, by not using the required 2014 population projections and/or not including the mandatory urban uplift, whilst still claiming compliance with the calculation methodology is simply wrong.

Even more worryingly is the Councils 'notes' in relation to the new NPPF included within the answers to PQ64 and PQ65. The Council suggestion that "Whilst it is understood that proposed transitional provisions for submitted local plans will link their examinations to earlier versions of the National Planning Policy Framework, it is

assumed that the relevant standard method figure will not be fixed to a September 2023 calculation. Under the proposed revised approach the objectively assessed need for Bristol would change from 3,380 homes per annum to 3,057". This statement is simply incorrect and represents a fundamental misunderstanding of national planning policy legislation, policy and guidance the role and purpose of the transitional arrangements for plan-making in the Dec 2024 NPPF.

The Government has clearly signalled its intention to deliver 1.5 million homes over the term of this Parliament. One of their first acts was to begin a consultation on revisions to the NPPF, which include a revision to the Standard Method to ensure housing numbers seek to plan for 370,000 homes per year. This is essential if the Government is to achieve its national target.

The draft NPPF included proposed transitional arrangements. These were subject to public consultation as part of the wider NPPF consultation and have been changed in the final version. The Government's response to the consultation was published alongside the NPPF on Dec 12th 2024, see https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/outcome/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation?pk_campaign=newsletter_7168

This response states that "The government's proposed transitional arrangement for local plans seek to maintain the progress of plans at more advanced stages of preparation, while maximising proactive planning for the homes our communities need."

It continues "we have decided that for plans at Regulation 19, if the draft housing requirement meets less than 80% of local housing need, authorities will be required to update their plan to reflect the revised local housing need figure and the revised National Planning Policy Framework prior to submission. For authorities with plans at examination, where the draft housing requirement meets less than 80% of local housing need the authority will be expected to begin a plan in the new plan-making system as soon as it is brought into force in 2025."

It does not say Councils can continue with their emerging Local Plan under the transitional arrangement but simply 'swap in' the new standard method figure. This is just not an option. The purpose of transitional arrangements is to enable plans at an advanced stage of preparation to continue to adoption. This supports the planned system by enabling Councils to adopt new Plans already in progress, before having to start work on the next Plan that delivers against the new rules and requirements.

The transitional arrangements for plan-making in the Dec 2024 NPPF provide a way of assessing whether or not a Plan was doing enough in terms of planning for housing to continue its journey through to Examination and hopefully adoption, or whether that journey should stop, and the Council be required to rework the Plan to accommodate the new housing requirements. The new standard method

calculations do not and should not provide a policy basis for establishing a housing requirement for the Plan progressing under the transitional arrangements.

Bristol's Local Plan is currently in the 'at Examination' phase. As such the reference to a reduction "from 3,380 homes per annum to 3,057" in the 'note' within the response to PQ65 is relevant only to consideration of whether the Local Authority will be expected to begin a new Plan immediately, or not.

As the council themselves acknowledge in their response to PQ65, plans progressing under transitional arrangements will be considered against the relevant NPPF, in this case the NPPF in place as of Sept 2023. For a Plan progressing under this NPPF National Policy is clear is that 2014 household projections should be used, and the urban uplift should be applied.

If the Council is unhappy with the standard method calculations under the NPPF version under which is choosing for its Plan to be examined, it should withdraw the Plan and prepare a new one using the new standard method and NPPF as published on Dec 12th 2024. It cannot pick and choose which elements of the relevant national policy it wishes to apply, and which it does not.

Q2.2: Given the Council's response to PQ64 and PQ65, what relevance does the 2022 ORS Local Housing Need Report appended to document TPC0049 have for the issue of establishing the objectively assessed housing need?

As set out in our response to Question 2,1 above, HBF are confused by the Councils response to PQ64 and PQ65, which on our view simply do not reflect the provisions of the transitional arrangements for plan-making set out in the Dec 2024 NPPF.

If the Council is seeking to 'swap in' the new NPPF standard method calculations into their plan, this may well render all of the evidence, and possibly also the discussions and debate about Sept 2023 NPPF standard method housing calculations and the Bristol City housing requirements needs redundant. HBF would strongly question whether this was the intention of the transitional arrangements. HBF would instead suggest that such an approach would require a new Regulation 19 consultation and Examination of the Plan under NPPF Dec 2024.

If this were to be an acceptable approach, HBF would still be arguing the standard method is only the starting point for establishing the housing requirements for Bristol and the other factors (as set out paras 62 to 66 of our Regulation 19) would continue to be relevant in these new circumstances. We would therefore continue to argue for a higher housing requirement for Bristol, especially in light of the long-term failure of effective planning at the sub-regional level resulting in a history of under-delivery of housing and the housing needs of both the City, and the sub-region, being inadequately addressed for many years.

Any housing requirements should be the minimum level of housing that should be planned for and there should be proper recognition of the importance of the role of the growth of Bristol in terms of supporting the economic growth of the sub-region, and the negative impacts on the city and the City-Region in failing to plan proactively and effectively for growth.

Housing Requirement and Capacity

The Council has identified an overall capacity of 39,798 dwellings over the plan period¹⁰. Policy H1 sets an average annual housing requirement of 1,925 dwellings. This equates to 34,650 dwellings between 2022 and 2040. This represents a shortfall against the OAHN of 26,190 dwellings.

Paragraph 11b of the NPPF states that strategic policies should, as a minimum, provide for objectively assessed needs for housing, and other uses, as well as any needs that cannot be met in neighbouring areas, unless (i) the application of policies in the NPPF that protect areas of particular importance provide a strong reason for restricting the overall scale, type or distribution of development in the plan area and/or (ii) the adverse impacts of meeting the need in full would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

Policy H1 states that the housing requirement will be exceeded where this can be supported by service and infrastructure capacity. The Council's response to PQ67 states that no specific infrastructure intervention has been identified which would enable a specified number of additional dwellings but there are circumstances where additional dwellings may be plausibly facilitated.

Q2.3: Is the requirement for an average minimum of 1,925 new homes per annum over the plan period to 2040 positively prepared and justified having regard to identified constraints, including but not limited to land availability, viability and infrastructure? In particular:

- a) Is the overall capacity figure of 39,798 dwellings based on a robust assessment of potential supply (including windfalls and 'urban potential')? Have all available sources of land for residential development been fully considered and robustly assessed?**

HBF question the deliverability of the housing numbers anticipated in this Plan for a number of reasons. Firstly, although we support the brownfield first approach, this should not be a brownfield only approach. By relying on brownfield high-density developments, and not considering green field and Green Belt sites, the result is likely to be high-density apartment housing units being developed. This will result in a mismatch between the housing types needed and the types of housing being provided.

The Council should consider opportunities for additional greenfield housing allocations and green belt release to form part of their housing supply. In failing to do so they are not planning positively for the future of Bristol and not doing "as much as possible" to meet their area's identified housing need, as required by the Dec 2023 NPPF. Bristol Council should be seeking to minimise the amount of unmet they then need to export beyond their boundaries through the allocation of sites and a Green Belt review, not artificially suppressing the housing requirement.

- b) Does the evidence demonstrate there are no other sustainable sites for residential development within the plan area during the plan period, including sites allocated or in use for other uses?**

This is unclear from the evidence available. A full up-to-date Green Belt review has not been undertaken.

- c) Is the Plan sufficiently proactive in seeking to maximise the delivery of residential development on appropriate sites, including those which may currently be in alternative uses (such as existing employment land)?**

This is unclear from the evidence available.

- d) Given many allocations set out in Policy DA1 are for mixed-uses and contain only 'estimated' capacities, is there sufficient certainty about the scale of delivery envisaged from these sites?**

This is unclear from the evidence available. Although HBF do not comment on individual sites we would expect an allocation policy to clearly set out what development is acceptable on a particular site, for mixed use allocations this would be how many houses and how much for employment and other uses. The Plan polices should provide certainty for both developers and local communities.

- e) In establishing the housing requirement, is the 15% 'headroom' figure justified?**

No. The Plan needs to provide certainty

- f) Have the effects of meeting the OAHN been robustly assessed?**

This is unclear from the evidence available.

HBF have detailed our significant concerns about housing supply in our Regulation 19 response (see in particular para 72-81). Without an up-to-date site-by-site housing trajectory including a year-by-year breakdown of housing delivery expectations, it is difficult to comment on the robustness and deliverability of the proposed housing supply, or the reasonableness of the assumption that have informed it. The information provided by the Council is EXA024d PQ62 SHLAA 2023 Site Trajectory Table is insufficient. By way of an example of what would be sufficient we would highlight a recently produced document that Leicester City Council prepared for their EIP https://www.leicester.gov.uk/media/aq4ktdje/exam-9a-action-331-exam9a_housing-allocations-commitments-deliverability-and-developability-23-24.pdf about their updated Housing Trajectory which gives an example of the kind of information on each site that needs to be made available.

Q2.4: Further to the above, the response to PQ18 refers to sites suggested as part of the Regulation 19 consultation. This concludes that development is not ruled out by the local plan as they are not in any designations that would prejudice some form of development. Does this have any implications for the estimated capacity of the City, or the assumptions made relating to windfall or urban capacity?

HBF is confused by the Council's response to PQ18, if sites are submitted at Reg 19 and the Council is happy for them to be developed for housing surely they should then be allocated in the Local Plan. Any site allocated for housing cannot also be counted as windfall. Asserting that "the potential future development of these 13 sites is not ruled out by the local plan Local Plan" does nothing to ensure their delivery, and as such they should not be relied upon to provide any housing development within the plan period.

Q2.5: Has the Council assessed the likely effects of delivering a higher level of housing within the Plan area?

No. HBF can find no evidence of the Council considering what the implications of a higher housing requirement within the Bristol City area would be. We can also find no assessment of the implications of seeking to meet the housing needs of Bristol in full- which would probably require further Green Belt release.

Q2.6: Having regard to the above, is there substantive evidence to suggest that the requirements of paragraph 11b of the NPPF, as set out above, have been met? What are the adverse impacts of seeking to meet the OAHN?

HBF are not clear what the impacts might be. It would appear that the Council has not assessed this option. Fully meeting the housing needs of Bristol within the City Council area, including through, if necessary significant Green Belt release, is an option available to the Council and one that should have at least been considered and tested. This option seems to have been ruled out and dismissed for non-planning reasons.

Q2.7: Should the Plan set out the scale of unmet housing need and set out how the issue is expected to be addressed, including the role of other local authorities?

Yes, as set out in our Regulation 19 response HBF are very concerned that the failure of Bristol City Council and its neighbouring authorities to fully cooperate on the issue of ensuring Bristol's housing needs are addressed. See also our response to Q1.29 on Matter One which set out our comments on Monitoring in relation this issue.

Paragraph 74 of the NPPF expects strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period and for the plans to set out the expected rate of delivery for specific sites. The response to PQ62 provides trajectory information.

Q2.8: To ensure compliance with paragraph 74 of the NPPF should the trajectory information provided be set out in the Plan?

Yes. The failure to provide a full site by site year by year housing trajectory as part of the Plan, makes the plan unsound.

Word Count 2759 (including wording of the questions)