

Examination of the Bristol Local Plan Review 2020–2040

Matter 4: Development Strategy and Site Selection Process

On behalf of Watkin Jones (Consult ID: 437)

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1. Introduction

- 1.1. This Hearing Statement has been produced by Pegasus Group on behalf of our client, Watkin Jones. It focuses upon the Inspectors Matters, Issues and Questions which relate our client's previous representations.
- 1.2. It is understood, due to the transitional arrangements set out within paragraphs 234 and 235 of the December 2024 NPPF, that the plan will be examined against the September 2023 version of the NPPF. All following references made to the NPPF are to the September 2023 version, unless otherwise stated.
- 1.3. Our client wishes to ensure that the emerging Bristol Local Plan 2022–2040 is prepared in a robust manner that passes the tests of soundness contained in paragraph 35 of the 2023 NPPF, namely that the plan is:
 - Positively Prepared;
 - Justified;
 - Effective; and
 - Consistent with national policy.
- 1.4. Our client submitted representations to the various stages of plan production including the 'Submission (Regulation 19)' version.
- 1.5. Watkin Jones has a number of interests in Bristol across several key regeneration areas. Our client considers that significant modifications are required to ensure the emerging Local Plan is found to be sound.
- 1.6. Our client is a national residential and mixed-use developer with an excellent track record of delivering high-quality sustainable developments within this area. Watkin Jones develop a range of housing including traditional housing, as well as Purpose Built Student Accommodation (PBSA), Build to Rent (BtR) and Shared/Co-Living accommodation.

2. Response to the Inspector's Matter 4 Issues and Questions

2.1. We welcome the opportunity to comment on the Inspector's Matters, Issues and Questions (MIQs) and provide the following responses to selected questions. Our client reserves the right to respond to specific issues raised by the Council and other parties within the hearing session in so far as they relate to our previous representations.

2.2. Our client intends to answer Matter 4 question only as relevant to the City Centre. All answers below should be considered in this context.

Issue 4.1: Whether the development strategy and strategic policies of the Plan are positively prepared, justified, effective and consistent with national policy?

Q4.1: Are the specific areas of growth and regeneration justified, consistent with the development strategy and the Plan's overall Vision and Objectives?

2.3. Our client has no comments on this question.

Q4.2: Several of the policies for areas of growth and regeneration refer to development having to 'accord' with regeneration frameworks. Notwithstanding the Council's response to PQ9, is it justified or effective for proposals to have to 'accord' with documents that do not form part of the development plan?

2.4. This is not considered justified in its current form, and it is recommended that modifications be made to change 'accord with' to 'have regard to'.

2.5. The Council's response acknowledges that these regeneration frameworks are not yet fully realised or in some cases already published and significantly predate the emerging Local Plan. These frameworks will not / have not undergone the same level of scrutiny as the local plan examination process, and are unlikely to represent the most up to date context. Where out of date the plan should indicate that these will be updated.

2.6. Experience in the past with the Council has shown that changes in circumstances, and/or policy and regulatory environments can justify departures. A clear example of this is the Temple Quarter area, whereby the associated Spatial Framework was rendered obsolete by the withdrawal of a planned arena to Temple Island by the Council and the introduction of a new University of Bristol campus to the area. More flexible wording as suggested above would assist in providing confidence on how to interpret the development plan and the related delivery of development within these key locations that would allow the policy to be more effective.

Q4.3: Several of the policies for areas of growth and regeneration refer to comprehensive or co-ordinated forms of development. The response to PQ28 states that this would be guided by masterplans or development frameworks and established through design and access statements. Having regard to this, are the relevant policies sufficiently clear and unambiguous, such that it would be clear to either decision makers or applicants what would be expected on an individual site?

- 2.7. This is considered unclear. While the policies use the references above it is not clear who has responsibility for advancing these, and what content they should include. While reference is made in the Council's response to PQ28 to Policy DPM1, it is not considered that this offers any further clarity.
- 2.8. The inference from context is that the Council expects to produce these documents themselves and that applications advanced prior to their publication may not be approved as a result. It is not clear whether an alternative mechanism may exist. This places expeditious delivery of development to meet the city's needs at risk.

Q4.4: The reasoned justification for several policies refer to potential housing capacity figures. The response to PQ23 confirms that these are not meant to be a target or a requirement. Notwithstanding this, are the anticipated capacities justified? Without a requirement for each area, and no specific allocations within any of the areas, will the relevant policies be effective in delivering the anticipated levels of housing?

- 2.9. The capacities are not considered justified.
- 2.10. Section 2.4 of the Council's *Urban Potential Assessment (EVEHO2)* referenced in its response to PQ23 asserts that within the areas of growth and regeneration that 'additional potential' has been allowed for over this baseline position, but does not make clear how this has been calculated.
- 2.11. While Appendix 1 of the *Strategic Housing Land Availability Assessment (April 2024)* (EVEHO1) referenced in the Council's response to PQ23 refers to permissions, live applications or draft masterplans, in many cases it simply asserts capacity without justification. This appendix refers to 'student beds' in asserting capacities based on the emerging Policy H7 allocation of student accommodation, but makes clear that no assessment of capacity for PBSA has been undertaken beyond that informing Policy H7 (i.e. not on the grounds of capacity, but asserting only regarding mix/impact).
- 2.12. Document EVEHO2 makes no allowance for differing housing formats such as Shared Living or PBSA, which represent a more efficient form of housing and an important component of the future housing offer across the City Centre area. This is further expanded upon in our comments on Matter 2 and Matter 7.

Q4.5: Several of the policies for areas of growth and regeneration set out the expectation for a range of uses to come forward over the plan period. Other than for housing (as set out above) there is no indication in any policy or reasoned justification as to the scale of development expected. Are the relevant policies sufficiently clear as to what type and scale of development is envisaged?

- 2.13. Please refer to the above answer at Q4.4 and commentary on Matter 7 in relation to student accommodation. No comments are offered on other uses.

Q4.6: The reasoned justification for several of the policies for areas of growth and regeneration include reference to possible housing densities. Are these justified and, to be effective, should they be included in policy? How do these densities relate to other relevant policies, such as policies UL1 and UL2?

- 2.14. We refer to the above commentary in regards to the potential further capacity that may be achieved through PBSA and Shared Living offering more efficient forms of housing.

2.15. The references within the areas of growth and regeneration to Policy UL2 are considered unclear, in so far as Policy UL2 refers back to the Development Strategy policies and specific approaches under those policies.

Issue 4.2: Are the policies relating to Central Bristol justified, effective and consistent with national policy?

2.16. See answers above at Q4.3–Q4.5 and below addressing each of the defined areas for Central Bristol.

Policy DS1: Bristol City Centre

Q4.7: Is Policy DS1 justified, consistent with national policy and effective? In particular:

Development up to 2040

a) Would the policy be effective in strengthening the role of the City Centre as a focus of regional importance and is the approach justified?

2.17. No comments.

b) Having regard to paragraph 3.1.4 which indicates that the overall area has the potential to accommodate thousands of new homes, is the anticipated housing capacity of 2,500 set out in paragraph 3.1.10 justified. To be effective, should the policy identify the expected level of housing delivery in this area?

2.18. We consider this is not justified. See answer above to Q4.4.

c) Is the policy sufficiently clear in defining what uses would be acceptable within the City Centre area?

2.19. We have no comments on, beyond reference to PBSA provision under Policy H7 in Matter 7 and Shared Living as per comments on Q4.9(c).

.d) Is it clear what level of student accommodation is expected to be provided in the overall area and is this justified?

2.20. The policy directs to Policy H7 in this regard. Notwithstanding our objections to the justification for Policy H7 and overall unmet student accommodation needs, as addressed in our response to Matters 2 and 7, we consider that this direction is sufficiently clear.

e) i) Will the policy be effective in consolidating and expanding University of Bristol and Bristol Royal Infirmary sites? ii) Paragraph 3.1.13 refers to additional 'policy' detail being provided on university and hospital development as supplementary planning guidance (masterplans or other agreed documents). Is this approach justified and consistent with national policy?

2.21. No comments.

Culture and diversity of uses

f) Is the policy consistent with Policies CF1 and CF2?

2.22. Our objections to Policy CF1 are addressed in Matter 6. Notwithstanding this, the reference in Policy DS1 only discusses 'encouraging' which is at odds with Policy CF1's 'requirement'. It is noted that Policies CF1 and CF2 only pertain to community uses, compared with 'cultural and community uses' under Policy DS1. 'Cultural uses' may be considered to pertain to uses that do not fall within 'community uses' as defined at paragraph 11.9 to Policies CF1 and CF2.

Floating Harbour

g) The Floating Harbour is referred to in Policy DS1 'Bristol City Centre' and is referred to in the Harbour Place Shaping Strategy. Would Policy DS1 be effective in maintaining the role of the Floating Harbour as a location for maritime industries, water related activities, as well as a visitor destination and heritage asset?

2.23. No comments.

Q4.8: Are the requirements set out in Policy DS1 justified, consistent with national policy and would they be effective in securing sustainable development? In particular:

a) What particular measures would a decision maker expect to be provided for major development in demonstrating enhancement of social inclusion and community cohesion? Are the examples referred to in paragraph 3.1.15 meant to cover this? ii) Is it clear what a decision maker would expect to see to demonstrate that opportunities have been taken to reduce severance of parts of the city from neighbouring communities?

2.24. No comments.

b) are the requirements in relation to heritage assets consistent with Policy CHE1 and national policy?

2.25. Please see response to Matter 13 on Policy CHE1. It is considered that the framing of having 'regard' under Policy DS1, in the context of an updated Policy CHE1 as recommended in those comments, would comply with the duty to have 'special regard' to listings and 'special attention' to Conservation Areas under *The Planning (Listed Buildings and Conservation Areas) Act 1990*.

c) Is the approach to tall buildings consistent with Policy DC2 and is it justified within this area?

2.26. No comments.

d) To be effective should the policy identify the expected level of office development to be provided within the area?

2.27. No comments.

e) Are the remaining place principles (density and mixed use, heritage assets, street design, ground floor uses and public access) clear and unambiguous such that it would be evident to a decision maker how to react to a proposal, and will they ensure the aspirations of the policy are met?

2.28. See above comments on density and heritage.

2.29. It is considered that 'active and inclusive' ground floor uses is unclear. Active uses are a well-defined concept in planning, but the addition of inclusive suggests a narrower definition that is not expanded upon. It is presumed that this is in reference to Policy CF1, to which objections are made under Matter 6.

2.30. No comments on street design or public access.

Policy DS1A: Bristol City Centre – Broadmead, Castle Park and the Old City

Q4.9: Is Policy DS1A justified, consistent with national policy and effective? In particular:

a) Is it necessary for the policy to state what development up to 2040 will include, to be consistent with the other City Centre DS policies?

2.31. No comments.

b) Will the policy be effective in creating a mixed-use city centre neighbourhood?

2.32. No – see answer (c) below.

c) Is the policy sufficiently clear in defining what uses would be acceptable within the area?

2.33. The policy frames uses in relatively broad terms while listing multiple uses, such that it could be read as a permissive list. It is noted in this regard that the policy makes no reference to student accommodation, at odds with Policy H7 that while not fully aligned with the areas set under the Development Strategy clearly permits student accommodation, which remains a core component of the housing offer as discussed under Matter 2. The policy also makes no reference to Shared Living which could form a key component of the housing offer within sustainable locations such as across the city centre.

2.34. The policy references the ground floor space requirements of Policy CF1, which is discussed in our response to Matter 6.

d) Is the boundary shown on the diagram at page 19 of the Plan appropriately defined?

2.35. No comments.

e) Having regard to the Council's proposed main modification for Policy DS1A proposing a change to this part of the policy in response to PQ32, is this necessary for soundness? Is it justified to expect major development to provide a minimum of 10% of ground floor space for community or cultural use? Has this requirement been subject to viability testing and if not, why not?

2.36. We do not consider that this requirement is sound as set out in comments on Matter 6.

f) Paragraph 3.1.20 refers to Castle Street/Queen Street as being allocated in the Bristol Central Area Plan but that it is now identified as a potential development site in the City Centre DDP. Is this approach justified and it will it be effective in delivering the rest of the site?

2.37. No comments.

Q4.10: Are the requirements set out in Policy DS1A justified, consistent with national policy and would they be effective in securing sustainable development? In particular:

a) Is the requirement to create new routes through urban blocks and restore historic street patterns justified and will it be effective?

2.38. This is broadly agreed with. However, it is considered that the policy should be reframed to allow discretion in application. Historic street patterns will not always be desirable based on their relationship with the existing townscape and must also be weighed against inefficient land use impacting upon the broader strategic objectives of the Council.

2.39. It is noted that subsequent text under the 'Old City' refers to 'where appropriate' and the policy should be modified

2.40. The text should be reframed with the following text first "Consider opportunities to..."

b) are the requirements in relation to built and cultural heritage consistent with Policy CHE1 and national policy?

2.41. See answer to question (f) below.

c) Is the approach to tall buildings consistent with Policy DC2 and is it justified within this area?

2.42. It is considered that the reference to 'settings' should be replaced with 'location' to avoid any interpretation with heritage matters.

2.43. No further comments.

d) Are the requirements set out under the remaining place principles clear and unambiguous, such that it would be evident to a decision maker how to react to a proposal, and will they ensure the aspirations of the policy are met? Castle Park

2.44. No comments.

e) Are the requirements in relation to development facilitating and contributing to enhancements to Castle Park justified and will they be effective?

2.45. No comments.

Old City

f) are the requirements in relation to heritage assets consistent with Policy CHE1?

2.46. It is considered that the reference to 'reinstatement of historic character' is in conflict with the NPPF tests in Section 16 and Policy CHE1 references to 'safeguard or enhance'.

g) Are the requirements in relation to development supporting the growth of independent retail at St Nicholas' Market and St Mary-le-Port justified? How will this requirement be applied in practice?

2.47. No comments.

Policy DS2: Bristol Temple Quarter

Q4.11: Is Policy DS2 justified, consistent with national policy and effective? In particular:

a) Is the policy sufficiently clear in defining what uses would be acceptable within the area?

2.48. See comments on Q4.9(c) with regard to Shared Living. No further comments.

b) Is the boundary shown on the diagram at page 22 of the Plan appropriately defined?

2.49. No comments.

c) Is the anticipated housing capacity of 2,500 set out in paragraph 3.1.26 justified? To be effective, should the policy identify the expected level of housing delivery in this area?

2.50. See comments on Q4.4.

d) Is it clear what level of student accommodation is expected to be provided in the overall area and is approach this justified?

2.51. The level of student accommodation is reliant on cross-reference to Policy H7 and the caps therein. This is objected to as set out in our comments on Matter 7 with context provided on student need in our comments on Matter 2.

Temple Meads area and Silverthorne Island

e) Are the aspirations for the Temple Meads area and place principles for Silverthorne Lane consistent with Policy CHE1 and national policy?

2.52. The place principles use the Policy CHE1 language of 'preserve and enhance', which is at odds with the Framework as set out in commentary on this policy in Matter 13.

2.53. The language should be amended to marry in with the NPPF. This is considered best addressed by cross reference to an updated Policy CHE1 (as per our comments on Matter 13) such as:

2.54. "Development will imaginatively respond to heritage assets, including the Silverthorne Lane Conservation Area, in accordance with Policy CHE1 to deliver a strong sense of place."

Q4.12: Are the requirements set out in Policy DS2 justified, consistent with national policy and would they be effective in securing sustainable development? In particular:

a) Will the Place principles be effective in achieving the aspirations for the Temple Meads area, Silverthorne Island, Temple Island and the York Road/Mead Street area?

2.55. See commentary below at (c) and above under Q4.3. and Q4.10(c).

b) Will the requirement for new development to support freight consolidation in the area be effective?

2.56. No comments.

c) Are the requirements set out under the remaining place principles (design, tall buildings, mix of housing, natural green space clear) and transport and flood risk clear and unambiguous such that it would be evident to a decision maker how to react to a proposal, and will they ensure the aspirations of the policy are met?

2.57. Housing mix is defined under Policy H4 as reliant on the masterplans or spatial frameworks for the areas of growth and regeneration. In the absence of such documents compliance with this component is not clear.

2.58. It is considered that the text referencing the Totterdown Basin is not clear as to whether this will require enhancements to its wildlife function, or simply access to this.

2.59. With regard to flood risk sequential test, it is presumed that reference to the 'policy area' applies to Policy DS2 as a whole, but this could be inferred as the separate identified areas under the policy. Given the clear articulation of development to those listed areas, it can be argued that the latter interpretation should apply and the text clarified to suit.

Policy DS3: St Philip's Marsh

Q4.13: Is Policy DS3 justified, consistent with national policy and effective? In particular:

a) Is the policy sufficiently clear in defining what uses would be acceptable within the area?

2.60. See comments on Q4.9(c) with regard to Shared Living. No further comments.

b) Is there an anticipated housing capacity for this area and if not, why not? To be effective, should the policy identify the expected level of housing, office and employment delivery in this area?

2.61. See comments on Q4.4.

c) Is the boundary shown on the diagram at page 25 of the Plan appropriately defined?

2.62. No comments.

North west St. Philip's Marsh

d) Is the aspiration for this area to be a knowledge based, employment lead innovation area justified having regard to the evidence base, and will the policy be effective in this regard?

2.63. No comments.

e) Are the requirements in relation to the River Avon frontage and Feeder Road justified?

2.64. No comments.

Q4.14: Are the requirements set out in Policy DS3 justified, consistent with national policy and would they be effective in securing sustainable development? In particular:

a) Will the Place principles be effective in achieving the aspirations for the sub areas?

2.65. No comments.

b) Is the requirement to enhance Sparke Evans Park justified and will it be effective?

2.66. It is unclear how the referenced enhancement will be secured, and how this ties in with the wider principle of securing 'appropriate green infrastructure and open space' and the requirements of Regulation 122 of *The Community Infrastructure Levy Regulations 2010* for planning obligations. It is noted in this regard that the *Infrastructure Delivery Plan* (EVEI01) Appendix B refers generically to parks and green spaces as subject to a future review, with two other named parks and gardens being listed.

c) What measures would a decision maker expect to be provided for development in demonstrating enhancement of social inclusion and community cohesion?

2.67. No comments.

d) Is the requirement for new workspace and other commercial development to assist in access to employment for local residents justified and will it be effective in this area?

2.68. No comments.

e) Is the requirement for facilitating and contributing towards delivery of an eastern access to Temple Meads Station applicable to all new development and if so, is this justified?

2.69. Similar comments apply as to the lack of clarity on this matter as per (b) above. It is noted in this regard that the *Infrastructure Delivery Plan* (EVEI01) Appendix B states that this matter is fully publicly funded.

f) Are the requirements set out under the remaining place principles (design, mix of housing, connectivity, green infrastructure, and pedestrian and cycle links) and transport, and flood risk clear and unambiguous such that it would be evident to a decision maker how to react to a proposal, and will they ensure the aspirations of the policy are met?

2.70. See Q4.12(c) above (excluding Totterdown Basin). No further comments.

Policy DS4: Western Harbour

Q4.15: Is Policy DS4 justified, consistent with national policy and effective? In particular:

a) Is the policy sufficiently clear in defining what uses would be acceptable within the area and is it a suitable area for being part of the Development Strategy?

2.71. See comments on Q4.9(c) with regard to Shared Living. No further comments.

b) Will the policy be effective in achieving a reconfigured road system for the area and is this approach justified?

2.72. No comments.

c) Is there an anticipated housing capacity for this area and if not, why not? To be effective, should the policy identify the expected level of housing delivery in this area?

2.73. No comments.

d) Is the boundary shown on the diagram at page 28 of the Plan appropriately defined?

2.74. No comments.

Q4.16: Are the requirements set out in Policy DS4 justified, consistent with national policy and would they be effective in securing sustainable development? In particular:

a) Will the Place principles be effective in achieving the aspirations for the area?

2.75. No comments.

b) Are the place principles for Western Harbour consistent with Policy CHE1 and national policy in respect of heritage assets?

2.76. See answer to Q4.11(e).

c) In respect of flood risk, there are two separate parts in the policy which set out different requirements. Is this justified and will it be effective?

2.77. No comments.

d) Are the requirements set out under the remaining place principles (access) and housing mix and transport clear and unambiguous such that it would be evident to a decision maker how to react to a proposal, and will they ensure the aspirations of the policy are met?

2.78. No comments.

Policy DS5: Frome Gateway

Q4.17: Is Policy DS5 justified, consistent with national policy and effective? In particular:

a) Is the policy sufficiently clear in defining what uses would be acceptable within the area?

2.79. See comments on Q4.9(c) with regard to Shared Living. No further comments.

b) Is the anticipated housing capacity of 1,000 set out in paragraph 3.1.42 justified? To be effective, should the policy identify the expected level of housing delivery in this area?

2.80. See comments on Q4.4.

c) Are the 500 bedspaces for student accommodation justified?

2.81. See comments on Q4.4.

d) Having regard to the Old Market Neighbourhood Development Plan, is the Policy DS5 justified, and will it be effective in delivering the aims of the Neighbourhood Plan and the aspirations of the Policy DS5?

2.82. No comments.

e) Is the boundary shown on the diagram at page 31 of the Plan appropriately defined?

2.83. No comments.

f) Is the aspiration to deliver logistics provision adjacent to the M32 J3 justified, and will the policy be effective in this regard? What evidence is there on its potential impact on the M32?

2.84. No comments.

Q4.18: Are the requirements set out in Policy DS5 justified, consistent with national policy and would they be effective in securing sustainable development? In particular:

a) Are the requirements relating to Newfoundland Way and the underpass (bullets 3,4,5 and 6) justified and will they be effective?

2.85. No comments.

b) In respect of housing provision i) is the mix of homes set out in paragraph 3.1.43 justified and ii) is the need for accessible and adaptable homes justified and is it consistent with Policy H9? Is there a need for the policy to reflect both these requirements.

2.86. It is unclear how paragraph 3.1.43 would be applied for in Shared Living and PBSA development.

2.87. See comments on Q4.4 and Q4.11(e) in respect of housing mix and efficient land use.

2.88. Paragraph 3.1.43 is considered superfluous given it simply directs to Policy H9, which applies authority wide.

c) Are the requirements set out under the remaining place principles (design, pedestrian and cycle links, mixed uses, green infrastructure) and transport and flood risk, clear and unambiguous such that it would be evident to a decision maker how to react to a proposal, and will they ensure the aspirations of the policy are met?

2.89. It is not considered that the reference to 'mixed uses' is clear or justified. This infers that all applications will require mixed uses which will not be appropriate in all circumstances. This should be set more openly such as 'Consider the opportunities for mixed uses' or be



predicated more clearly upon measures such as locational factors and/or scale of development.

2,198 words

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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