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# Bristol Local Plan Examination

## Matter 4: Development Strategy and Site Selection Process

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Hearing Statement Prepared by Savills  
on behalf of Bristol Alliance Limited Partnership

### Introduction

1. Bristol Alliance Limited Partnership (BALP) submits this Statement in relation to Matter 4 of the Inspector's Draft Matters, Issues and Questions.
2. BALP have engaged with the draft Local Plan during the plan making process, including submitting representations to the Regulation 19 consultations. A copy of the representations submitted during the most recent Regulation 19 consultation can be found at the following link as respondent number 442: <https://www.bristol.gov.uk/files/documents/7679-240508-catalogue-of-representations-received-may-24/file>
3. As requested within IN4 Appendix 2, we have not repeated our Regulation 19 concerns which remain outstanding but have referred to them where this is considered helpful. This response should therefore be read in conjunction with these Regulation 19 comments.

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

### General Strategy Questions

**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?**

4. Regeneration frameworks and Supplementary Planning Documents (SPDs) do not form part of the development plan for Bristol however, it is acknowledged that these are often a 'material consideration' in the determination of planning applications within the plan area. In order for a development plan document to be adopted, it must be found to be 'sound', which means meeting the four tests of soundness: positively prepared, justified, effective and consistent with national policy. These are assessed by an independent examiner through an examination, so policies within development plan documents are scrutinised and must be supported by evidence. Unlike a formal development plan document, the frameworks and SPDs are not subject to a robust consultation and examination process. Accordingly, these documents should build upon and provide more detailed advice or guidance on policies in the adopted development plan, but they should not introduce new planning policies / requirements beyond those which have been adopted. Therefore, the frameworks and SPDs should conform with the adopted development plan and not the other way around. Moreover, the frameworks and SPDs should develop and expand on the adopted development plan rather than the local plan requiring the proposals to accord with documents which do not form part of the development plan itself.
5. The terminology around policies referring to other documents should be reviewed. As currently worded the requirement to accord with these other documents is definitive and implies that these documents are being elevated to development plan status without going through the same process as formal development plan documents. The policies should not require conformity with other documents which do not have development plan status. Instead the other SPD documents should refer to the policy to which they relate and provide further guidance or advice on the policy, such that these documents would be a material consideration in the decision making process.

6. In some instances policies refer to frameworks or documents that are yet to be prepared. Policies should not refer to potential future guidance documents as these do not go through examination or a robust consultation process. This creates uncertainty about what the policy may require in the future through reference to a document that is yet to be prepared.

**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?**

7. As set out above in the comments to Q4.2, policies should not require proposals to accord with documents which do not have development plan status. In most cases the policies refer to proposals needing to accord with 'any' approved development framework or masterplan for the area. Where these documents are yet to be prepared, this provides uncertainty for decision makers and applicants as to what is expected from the policy for the area and on individual sites. As currently drafted, the policies that include such documents are adding in uncertain requirements to a development plan document with no basis to do so. The references to comprehensive or co-ordinated forms of development also creates a potential reliance on other land or developments that is likely to hinder the delivery of housing and other land uses. Moreover, as these documents would not go through the same scrutiny for adoption, additional requirements could therefore be added at a later date and given an elevated status through the policy wording.
8. The place principles for Broadmead, Castle Park and Old City set out in policy DS1A do not require development to be guided by masterplans or development frameworks. However, the policy does expect the creation of liveable residential environments to be designed in accordance with any local design guidance or codes. Again, this adds uncertain requirements to developments in these areas where such guidance is not currently available and these documents would not go through the same examination process as the development plan documents. These documents should therefore not go beyond the planning policy requirements and should only provide further advice / guidance on the adopted policies. The reference to masterplans, development frameworks and local design guidance should be removed from policies.
9. The place principles for Broadmead, Castle Park and Old City, in some cases, require the design of development to deliver certain aspects which may not be possible through an individual site. Such as creating new routes through urban blocks, restoring historic street patterns and delivering better connections. The aspiration of this policy for the area as a whole is supported however, it should be made clear that the place principles should not require individual sites alone to meet all of these, as in many instances this may not be possible. The inclusion of further clarification for individual sites would make this clearer for decision makers and applicants. As it stands the reference to comprehensive or co-ordinated forms of development and the implied dependence on landowners and developments would hinder development and create ambiguity and a lack of clarity as to what is required on an individual site.

**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?**

10. As a general point the Council's approach to housing does not reflect or address the identified housing needs for Bristol. As set out in the previous representations submitted, the Council are only seeking to meet 57% of the Government's standard method figure for housing need. A reactive approach to housing numbers and or housing types such as PBSA is likely to hinder delivery rather than support it.
11. The estimated capacity of the City as a whole has not taken account of all of the sites that have been submitted for consideration as allocations, and places an over-reliance on 'windfall sites'. The proportion of windfall sites relied upon is an extremely high level of the plan's housing capacity which has not been effectively planned for or demonstrated to be developable, deliverable or available. The anticipated capacities have not been justified as part of the plan and the absence of specific allocations places an over-reliance on windfall sites and speculative applications.
12. The cap on purpose-built student accommodation (PBSA) numbers in policy H7 falls significantly short of the forecasted student numbers to 2040. Moreover, the capacity figures for the areas identified has not been assessed or justified through evidence. Indeed the capacity of those areas is significantly greater than stated. Limiting the number of student beds below the forecasted demand will have an adverse impact on the housing stock in Bristol. This is because students will be more reliant on private rented accommodation, which will reduce the housing stock in Bristol for residents and exacerbate Bristol's unmet housing need. The proposed capacity figures and the restriction on PBSA bed numbers do not reflect either the need for PBSA accommodation or the potential of the areas identified to meet that need. .

**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?**

13. The aspiration for a range of uses to come forwards as part of the growth and regeneration areas is supported. However, there is no reference to the scale of development expected and this therefore creates uncertainty around what is envisaged for the area. This makes the policy ambiguous and makes it difficult to assess whether proposals comply with the policy or not. If further clarity is to be included in policies around the type and scale of development, this should be sufficiently evidenced and based on need. Any prescribed numbers or allocations for types of development would need to be informed by an assessment of capacity. Given the scale of unmet need there is a general need for the LP policies to support and indeed encourage higher densities but without being overly prescriptive on specific sites as to how that is delivered.

**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?**

14. BALP's land interest relates to Bristol City Centre, specifically Broadmead and Cabot Circus. The policy (DS1A) related to this area does not include reference to possible housing densities. This policy does however support a more efficient use of land and tall buildings in the right setting. Overall, the principle of encouraging density with minimum targets is supported, where justified. Although, it should be acknowledged that the density of schemes will be based on the individual circumstances of the site and the proposed mix

of uses. As mentioned above, higher densities should generally be encouraged to meet the acute unmet need in Bristol and in this context the minimums could be higher.

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

**Policy DS1: Bristol City Centre**

**Q4.7: Is Policy DS1 justified, consistent with national policy and effective? In particular: Development up to 2040**

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

15. The policy lists the types of development that will come forwards in the City Centre including offices, residential, retail, leisure, tourism, entertainment and arts and cultural facilities. However, the policy then goes on to say that development up to 2040 will include a more defined list of uses which in some cases do not correlate to those referred to at the start of the policy. In particular, the sixth bullet point of the policy states that '*purpose-built student accommodation will be carefully managed and directed towards identified areas both in the city centre and elsewhere*' (Policy H7). From the policy wording it is not clear that purpose-built student accommodation is a use that is supported in the City Centre. Student accommodation should therefore be included at the start of the policy text as one of the uses that development in the City Centre will include.

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

16. There is limited mention of student accommodation in the policy, except where the policy advises that purpose-built student accommodation will be carefully managed and directed towards identified areas both in the city centre and elsewhere (Policy H7 'Managing the development of purpose-built student accommodation'). The policy subdivides the City Centre into areas of growth and regeneration, namely, Bristol Temple Quarter, St Philip's Marsh, Western Harbour, Broadmead and Frome Gateway however, student accommodation is not referred to in the text for any of the individual areas. This policy therefore does not clearly state where student accommodation should be located nor does it refer to a level of student accommodation to be provided. Should a limit be included in the policy this must be supported by evidence regarding the areas capacity for development but also an overall coherent strategy of how the unmet need for PBSA will be addressed.

17. Policy H7 prescribes areas where student accommodation should be directed towards and sets bed space caps within such areas. It is however considered that the caps on student bed spaces are not justified (this is discussed further in Matter 7). Currently, as worded Policy DS1 does not clearly define these parameters nor does it directly refer to supporting the development of student accommodation in the City Centre. As such the policy wording should be amended to include reference to student accommodation and the bed space caps removed.

**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:**

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

18. The wording of the policy in relation to heritage assets says that *'proposals will have regard to the area's important heritage assets and respond appropriately to key views and landmarks set out in the relevant Conservation Area Character Appraisals and other supporting policy and guidance'*. It is not clear from the policy what is meant by a scheme responding appropriately to key views and landmarks so this should be removed or clarified. There should be recognition that, in accordance with the NPPF, any heritage harm should be balanced against the public benefits of the scheme.
19. In addition, the reference to other supporting guidance in the policy text is not sufficiently precise or clear as to exactly what guidance should be used in this context to comply with the policy. Reference to other documents and / or guidance should be removed.

**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?**

20. The place making principles are in some cases seemingly generic although the encouragement of higher density and mixed use developments is supported. However, there is limited clarification beyond this as to what would be accepted. In other instances some of the policy requirements would not be possible to deliver on all schemes, depending on the location and scale of developments such as waterfront areas, street design and routes for sustainable modes of transport. Furthermore, at the end of the place principles the policy simply states that the design of development would be expected to accord with local design guides and codes and any other design guidance or city centre frameworks and strategies. This creates a level of uncertainty as to the design principles that a scheme should adhere to, especially where such documents are not available. Reference to these other documents and / or guidance should be removed from the policy wording.
21. As a general point, the combination of requirements from policies taken together can adversely affect on the viability of schemes. This will inevitably then impact on schemes, that would be sustainability located, not coming forwards at all.

**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:**

**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?**

22. The main modification proposed is a change in the policy text to refer to the Council seeking a proportion of ground floor space to be suitably fitted out for the use of community and/or cultural organisations at an affordable rent as part of major developments. This removes the requirement for a minimum of 10% of the

ground floor space to be for community or cultural use. However, the main modification includes an amendment to the supporting text for the policy (paragraph 3.1.19) to include '*the aim will be for the proportion to be 10% of the overall space*' in relation to ground floor space for community and cultural uses.

23. The justification for this 10% requirement in the Council's response to PQ32 is that the same requirement is set out in the City Centre Development Delivery Plan (DDP). This is not sufficient justification and as aforementioned this is not a development plan document. Further justification and evidence should therefore be provided, if this requirement is to be carried forward. Notwithstanding this, the current market conditions should be acknowledged with regards to the existing viability challenges of letting ground floor commercial floorspace in Bristol City Centre. Moreover, there is often competing interests for ground floor space within mixed use developments (e.g. secure cycle storage, waste stores, plant space, access areas, active uses) which would create an opportunity cost, such that all requirements may not be able to be facilitated within a scheme. We are not aware that the viability of the policy has been tested and evidence should be submitted to demonstrate this, together with the rental levels that might be expected. Given the scale of development envisaged in the City Centre it is also important to consider the potential demand for this space / use as an oversupply could easily occur, leaving otherwise active ground floor floorspace vacant.

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