

REF: R00118/DB/MR

VIA EMAIL ONLY: Robert.Young@Bristol.gov.uk

7 February 2025

Dear Mr Young,

**EXAMINATION OF THE BRISTOL LOCAL PLAN 2022-2040
HEARING STATEMENT: MATTER 4
ROK PLANNING ON BEHALF OF UNITE GROUP PLC**

I write on behalf of our client, Unite Group Plc (Unite), to submit a Hearing Statement in response to the Matters, Issues and Questions (MIQ's) raised by the Inspector concerning the Examination of the Bristol Local Plan 2022 – 2040 (draft BLP). The submission of this Statement follows representations made on behalf of Unite to both various stages of the draft BLP's preparation, as well as other supporting planning policy documents in Bristol, as follows:

- Representations to the Bristol Local Plan Review made in February 2018, and again in March 2019;
- Representations to the draft Bristol Supplementary Planning Document: Purpose-Built Student Accommodation and Shared Living Development in January 2022;
- Representations to the Bristol City Centre Development and Delivery Plan Consultation in September 2023;
- Representations to the Bristol Temple Quarter Development Framework Consultation in March 2023; and
- Representations to the Bristol Local Plan Publication Version in January 2024.

Unite Students is the UK's leading manager and developer of purpose-built student accommodation (PBSA), providing homes to 70,000 students across 177 properties in 23 leading university towns and cities. This includes numerous existing properties in Bristol including Orchard Heights, Phoenix Court, Marketgate and Brunel House, more recently completed schemes such as Campbell House (the former Bristol Royal Infirmary hosting 431 student bedspaces), and further schemes under construction and due for opening in 2025-2026 such as Avon Point (636 student bedspaces) and Freestone Island (500 student bedspaces).

Following on from the representations submitted on behalf of Unite to the draft BLP Publication Version at Regulation 19 Stage, dated 26th January 2024 and hereafter referred to as 'Reg. 19 reps', this Statement focuses on Matter 4 and specifically the following issues which relate to draft policies DS1, DS2 and DS3 of the draft BLP:

- Issue 4.1: Whether the development strategy and strategic policies of the Plan are positively prepared, justified, effective and consistent with national policy?
- Issue 4.2: Are the policies relating to Central Bristol justified, effective and consistent with national policy?

Each issue is addressed in turn below.

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

Each specific question, as raised by the Inspector, is addressed below.

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

No comments.

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?

Unite consider this question in their Reg. 19 reps when providing comments on draft policies DS2 and DS3, both of which state that development:

"...will be expected to accord with any approved development framework, masterplan and infrastructure delivery plan for the area."

In the case of policies DS2 and DS3, which relate to Bristol Temple Quarter and St Philip's Marsh respectively, the relevant framework that would apply is the Temple Quarter Development Framework (ref. EXA009) which was adopted in May 2023. And this Framework follows the Spatial Framework (which does not form an examination document) which was adopted in 2016.

In document EXA024, in response to PQ11, the Council state the following:

"The use of 'will be expected' in a policy can be considered as a policy expectation with an expected outcome or action. [...]. The term could be considered to have a similar meaning or effect as 'should' in the National Planning Policy Framework (September 2023) which is frequently used with a similar context and purpose."

Representations on behalf of Unite Group Plc: Matter 4

Furthermore, in response to PQ9 when considering whether to refer to other documents that are not development plan documents within draft policies, the Council state the following:

“In such policies in the Bristol Local Plan and plans from other areas, whilst the local plan policy will afford relevance to those documents referenced, those documents would continue only have their relevant status in planning terms, with the local plan being the first consideration in decision making.”

Unite consider that the language currently contained within draft policies DS2 and DS3 would not have this effect, and is contradictory to the contents of the Temple Quarter Development Framework itself which states that it “...is intended to be flexible, providing guidance for future developments promoted in Bristol Temple Quarter”.

Currently, draft policies DS2 and DS3 would effectively convert a ‘guidance document’ that is a material consideration into a document that would ‘be expected’ to be accorded with. Unite argue that this is unjustified. Neither of the adopted frameworks referenced above have been subject to examination in public, nor will any future frameworks that come forward.

Unite suggest that reference to such Frameworks is therefore removed from the Local Plan. At the least, the wording should be amended to clarify that such documents form guidance only, as a material consideration, and are not ‘expected’ to be accorded with.

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?

Unite support the principle of comprehensive regeneration in the identified areas. However, the reality is that land ownership within both the Temple Quarter and the St Philip's Marsh areas (to name two examples) is fractured. This means that it is not necessarily possible for development to come forward at the same time in a cohesive and comprehensive manner. Indeed, Unite are aware of previous attempts to deliver an agreed masterplan for the Temple Quarter/Silverthorne Lane Area that sought developer input but was ultimately never finalised.

Such a requirement has the potential to stifle development from coming forward in areas which have been specifically earmarked for regeneration, making the draft policy ineffective and unjustified.

Unite suggest that the emphasis of this policy point should instead require that proposals “do not prejudice the development potential of adjacent sites” (as opposed to prejudicing comprehensive development as a whole).

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?

Unite consider the inclusion of housing capacity figures to be unjustified. The ordinary meaning of the word 'capacity' is to be interpreted as 'the maximum amount that something can contain'. Thus, whilst the Council confirm in their response to PQ23 within document EXA024 that the figures are not a 'target' or 'requirement' and are instead 'intended to enable the level of development suggested by the estimate', they could have the opposite effect and be interpreted as 'caps' on development.

Unite understand that this is not the intention of the policy. Indeed, as raised by numerous representors at Regulation 19 stage, the location and sustainability credentials of the city centre means it is the most appropriate location for growth including mixed development and a diverse range of land uses. Imposing figures, which could be interpreted as 'caps' is therefore entirely unjustified.

All references to development capacities should be removed.

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?

No comments.

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?

No comments.

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

Unite support the development of the City Centre for a mix of uses including PBSA (further comments in respect of draft policy H7 are provided in a separate Hearing Statement related to Matter 7).

However, in a similar manner to the answer given to Q4.4 above, Unite consider the inclusion of housing capacity within the draft policies to be unjustified and ineffective. Such a view should be taken to serve as a response to the following questions contained within Appendix 1 to document IN4:

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

Q4.11: Is Policy DS2 justified, consistent with national policy and effective? In particular: 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? And d) Is it clear what level of student accommodation is expected to be provided in the overall area and is approach this justified?

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

Unite consider the inclusion of housing capacity figures to be unjustified. The ordinary meaning of the word 'capacity' is to be interpreted as 'the maximum amount that something can contain'. Thus, whilst the Council confirm in their response to PQ23 within document EXA024 that the figures are not a 'target' or 'requirement' and are instead 'intended to enable the level of development suggested by the estimate', they could have the opposite effect and be interpreted as 'caps' on development.

Unite understand that this is not the intention of the policy. They should be removed.

Unite reserve the right to further their comments via participation in the hearing sessions as part of the Examination in Public.

I trust this Statement is in order and look forward to confirmation of safe receipt. Please do not hesitate to contact myself or Daniel Botten (daniel.botten@rokplanning.co.uk) should you have any queries.

Yours faithfully,



Matthew Roe
Director



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Word Count: 1850