



Examination of the Bristol Local Plan 2022-2040 (the Plan)

Inspectors: Louise Gibbons, Steven Lee and Benjamin Clarke

Draft Matters, Issues and Questions (MIQs)

The BTF Regulation 20 responses to the Plan

Our responses below are informed by and rely upon our responses to the 2023 consultation:

1. [Bristol Tree Forum representations in relation to the Bristol Local Plan 2023 Publication Version consultation](#) (19 January 2024 representations).
2. [BTF Representations on the Bristol Local Plan 2023 publication version - Addendum](#) (25 January 2024 representations).

We also ask the inspectors to take into account our representations regarding the 2019 consultation, which raised new proposals for the protection of open space that were not reproduced in the later 2023 consultation [PCD002b & TPC005]:

[Our response to the 2019 Open Spaces and Local Plan Review](#) (January 2023 representations).

Our representations below are shaded pale blue and prefixed 'Q[number.number] - BTF Response'. The word count does not include the headings above, this highlighted text or the reproduced text from the MIQs.

Paragraphs referred to in the National Planning Policy Framework (September 2023) are shown as NPPF [number].

We set out below why we believe the proposed Plan is neither justified nor effective, nor consistent with national policy, and therefore unsound.

Matter 05: Green Belt (1,981 words)

Issue 5.1: Whether the approach to altering the Green Belt boundaries and development within it justified and consistent with national policy?

Q5.1: How much land is proposed to be removed from the Green Belt, both in overall terms and as a proportion of the existing Green Belt?

Q5.3: Were all reasonable options for meeting the need for meeting the identified need for development fully examined? In particular:

a) Has the Council sought to make as much possible use of suitable brownfield sites and underutilised land?

Q5.5: Was the Council's approach to assessing the opportunities for altering Green Belt boundaries robust and based on appropriate up-to-date evidence? How has this informed the Plan and specifically proposals to alter the Green Belt boundary to accommodate development needs, including the assessment of opportunities not allocated for development?



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Q5.6: In selecting the allocations that are removed from the Green Belt, was first consideration given to land which has been previously developed and/or is well served by public transport?

Q5.7: What assessment, if any, of the opportunities that might exist for compensatory improvements to remaining Green Belt has been carried out?

Q5.1 - BTF Response

There are eight areas of Green Belt covering some 482 hectares within the city boundaries.¹

The Plan identifies three areas, comprising some 43.5 hectares (some 9% of the city's Green Belt) as suitable for development. These are:

1. Land adjacent to Elsbert Drive, Bishopsworth (about 3.5 ha),
2. 'Longmoor Village', Ashton Vale. (about 11 ha). This site is listed but it has already been granted planning permission, subject, we presume, to the approval of the Secretary of State.²
3. Bath Road, Brislington (about 29 ha).

Q5.3 a) - BTF Response

No. See our **Issue 17.1 Response** below.

Q5.5 - BTF Response

We are unable to comment because the Council's approach to assessing the opportunities for altering Green Belt boundaries was not made public. Nor were we or others consulted.

Q5.6 - BTF Response

We cannot say but see our **Issue 17.1 Response** below.

Q5.7 - BTF Response

The Council admits that the Plan does not set out or propose compensatory improvements to the remainder of the Green Belt. This alone demonstrates that these proposals are unsound as they fail to comply with the requirements of NPPF 142.

The Council justifies its position on the basis that is little remaining Green Belt land within the City and that it is already well managed. We take issue with this. As our response to Q5.1 above shows, there remains some 440 hectares of Green Belt land within the city boundaries, much of which is not, in our opinion, so well-managed that there are no offset opportunities for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land.

¹ <https://bristoltrees.space/Tree/sitecode/BGB>. We have excluded the 310 hectares at Ashton Court which is located in North Somerset, though managed by the Council,

² <https://pa.bristol.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QUDIB0DNHQK00>.



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In particular, the advent of the obligation placed on developers to deliver at least 10% biodiversity net gain will not only provide those opportunities via the inevitable offsite biodiversity mitigation that will be needed, but also deliver the funding needed to deliver them over the long-term. This is especially true where areas of Green Belt are coterminous with an SNCI, such as at Yew Tree Farm and Bedminster Common as well as those SNCIs along the River Avon and proximate to the Green belt areas which have been identified for removal and development. To the best of our knowledge, none of these opportunities have been explored.

Issue 5.2: Whether policies relating to development in the Green Belt justified, consistent with national policy and effective.

Q5.8: Is Policy DS10 justified, consistent with national policy and effective? In particular:

- a) *Is the policy clear and unambiguous about how planning applications for development within the Green Belt would be assessed?*
- b) *Is the second paragraph relating to previously developed land consistent with the first paragraph, which suggests development in Green Belt would be considered using national policy?*
- c) *What is the purpose of the third paragraph, particularly considering that any areas removed from the Green Belt by the Plan would no longer be designated as such and, once established, Green Belt boundaries can only be revised through a revision to the Plan? Is it the Council's position that this paragraph would prohibit any neighbourhood development plans from revising Green Belt boundaries?*

Q5.8 a), b) & c) - BTF Response

Our response to these questions is complicated by the fact that the Plan is being tested against a version of the NPPF which is two iterations out of date and that the latest, December 2024, version just published,³ has made changes to the basis upon which Green Belt Boundaries may be altered (NPPF Dec 2024 145) and introduced of the new concept of 'Grey Belt.'

Using this new definition, none of the three sites identified for removal from Bristol's Green Belt - save for the Park & Ride facility in the north of the Bath Road, Brislington site and, perhaps, the former Wyevale Garden Centre to its south - are Grey Belt and would not, under NPPF Dec 2024, have been eligible for removal from Bristol's Green Belt. Indeed, they are not eligible under NPPF Sept 2023.

We comment further on the repeated misuse of the NPPF defined term '*previously developed land*' (also called '*Brownfield land*') in our **Issue 17.1 Response** below. We note that there are no Green Belt Sites listed in either the March 2023 or the March 2024 Brownfield Registers.

In light of this, our responses to Q5.8 a) & b) are No. In particular, paragraph two of the proposed policy goes beyond the scope of NPPF 140 (and of NPPF 145, Dec 2024).

Q5.8 c) - paragraph three is indeed redundant as it serves no future purpose should the Plan be

³ <https://assets.publishing.service.gov.uk/media/675abd214cbda57cacd3476e/NPPF-December-2024.pdf>.



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adopted whether or not the three sites proposed are removed from the Green Belt. We cannot comment whether or not the Council's position might be to prohibit any neighbourhood development plans from revising Green Belt boundaries. However, before this could be done, the Plan's strategic policies would have had to have established a need for changes to Green Belt boundaries (NPPF 140). This has not been done save that DS10 states that it '*...continues to play a strategic role in containing the outward expansion of Bristol, providing a green setting for the city and focusing attention upon the regeneration of previously developed land in the urban area*' (Para. 3.3.25). If anything, development on the sites proposed to be removed will do just the opposite to *containing the outward expansion of Bristol* - See our **Q5.9 Response - Elsbert Drive, Bishopsworth**, in particular which, if adopted, is likely to mean that the borders of the city will have to be adjusted to include the site proposed in the still emerging North Somerset Local Plan.

Issue 5.3: Whether the Green Belt allocations are justified, consistent with national policy and whether the policies would be effective in delivering sustainable forms of development.

Policy DS11 - Development allocations - south west Bristol

Q5.9: Taking each site in turn, how would development proposed by DS11 affect each of the five Green Belt purposes set out in paragraph 138 of the NPPF?

Q5.10: Would Policy DS11 be effective in ensuring that the proposed Green Belt boundaries around the Ashton Vale and Elsbert Drive allocations are clearly defined using physical features that are readily recognisable and likely to be permanent?

Q5.11: Would Policy DS11 be effective in securing compensatory improvements to the environmental quality and accessibility of remaining Green Belt land to offset the impact of removing the allocation from the Green Belt?

Site Selection and Location

Q5.12: Are the Ashton Vale and Elsbert Drive allocations suitably located, having regard to the Plan's spatial strategy and the national aim of promoting a sustainable pattern of development?

Q5.13: Notwithstanding the extant planning permission, is Policy DS11 likely to be effective in dealing with any subsequent applications should they be submitted?

Q5.14: With regard to Elsbert Drive, would the policy be effective in effective in securing sustainable development? In particular with regard to:

- d) A cross boundary masterplan or development framework. To what extent is the delivery of this allocation dependent on North Somerset's Local Plan?*
- e) Scale and density of development.*
- f) Potential effects of development and expected mitigation.*

Q5.9 - BTF Response - Elsbert Drive, Bishopsworth



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This site relies on a reciprocal site proposed in the North Somerset Council emerging Local Plan 2040.⁴

It was proposed that the area of Green Belt land on the Bristol border to the south east of the A38 and north of A4174 to where it enters the Bristol boundary be set aside for residential development. The effect of this would be, in effect, to extend the urban sprawl of Bristol, which is contrary to NPPF 138 a). It would also be contrary to NPPF 138 c) by failing to assist in safeguarding the countryside from encroachment.

However, the North Somerset Council web site advises that:

A new pre-submission plan 2040 was agreed by the Executive Committee on 17 July 2024 for consultation. This was based on the Council's local housing target and no strategic allocations in the green belt.

We will not be going ahead with our consultation on the pre-submission plan 2040 in September as we had originally planned. This is due to the launch of the consultation on the governments proposed planning reforms on 30 July.

We will now review our pre-submission plan and take into account the proposed reforms. We will be working to progress a revised plan as quickly as possible.

In light of this, it is uncertain whether or not these North Somerset proposals will be pursued, which in turn must throw the Council's plans for Elsbert Drive into doubt especially as they too are contrary to NPPF 135 a) and c) and are likely to be unsustainable without the North Somerset proposals.

Q5.10 - BTF Response

No.

Q5.11 - BTF Response

No. See our Q5.7 Response

Q5.12 - BTF Response

No. See our responses above.

Q5.14 - BTF Response

- a) See our Q5.9 Response.
- b) See our Q5.9 Response.
- c) See our Q5.7 & Q5.9 Responses.

Q5.9 - BTF Response - 'Longmoor Village', Ashton Vale.

⁴ <https://n-somerset.gov.uk/my-services/planning-building-control/planning-policy/our-local-plan/local-plan-2040>



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We objected to the planning application to develop this site when it was being considered⁵ and repeat [our August 2021 comments](#), our [further comments of October 2022](#) and our [statement to the Planning Committee](#) when the application was approved in October 2022.

Q5.10 - BTF Response

No.

Q5.11 - BTF Response

No. See our [Q5.7 Response](#)

Q5.12 - BTF Response

No. See our responses above.

Q5.13 - BTF Response

No, especially if the third paragraph of DS10 is adopted.

Policy DS12 - New Neighbourhood - Bath Road, Brislington

Q5.15: How would development proposed by Policy DS12 affect each of the five Green Belt purposes set out in paragraph 138 of the NPPF?

Q5.16: Would Policy DS12 be effective in ensuring that the proposed Green Belt boundaries around the Bath Road, Brislington allocation are clearly defined using physical features that are readily recognisable and likely to be permanent?

Q5.17: Would Policy DS12 be effective in securing compensatory improvements to the environmental quality and accessibility of remaining Green Belt land to offset the impact of removing the allocation from the Green Belt?

Site Selection and Location

Q5.18: Is the Bath Road, Brislington allocation suitably located, having regard to the Plan's spatial strategy and the national aim of promoting a sustainable pattern of development?

Q5.15 - BTF Response

It would be contrary to NPPF 135 a), b) - given the proximity of Keynsham and the risk of pressure for infill development to the south-west and north-east growing - and NPPF 135 c) and so is likely to be unsustainable.

Q5.17 - BTF Response

No. See our [Q5.7 Response](#) above.

Q5.18 - BTF Response

Access to the site would be problematical given that the Bath Road to the north is a very busy, mostly dual carriageway so that vehicles seeking to access the site from Bristol would need to

⁵ <https://bristoltrees.space/Planning/application/QUDIB0DNHQK00>.



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drive to the Keynsham Roundabout first and double back before getting access to the site. Scotland Lane to the south is a narrow single lane 'B' road bounded by Hedgerows and with few passing places. This alone will not promote a sustainable pattern of development. The only realistic means of access to the site is by car as the Bath Road into Bristol is often congested with stationary or slow-moving traffic which would discourage most of those living there from using active travel options.

The land between the Park and Ride and the former Wye Vale Garden centre is agricultural land connected both north and south by a network of both historically and ecologically Important hedgerows, as defined by the Hedgerow Regulations 1997.⁶ Save for the field to the south of Bath Road Allotments, which was degraded by the current owners of the Wyevale Garden Centre site in about March 2019⁷ and is the subject of a planning appeal,⁸ this land has high ecological and biodiversity value.

It is notable that the Council's statement opposing the Wyevale Garden Centre appeal concludes that:

The appeal proposal would be considered inappropriate development within the Green Belt by virtue of the proposed harm to visual and spatial openness and very special circumstances have not been demonstrated to apply. As such, the appeal proposal fails to preserve the fundamental aims of the Green Belt, which are to remain open and to assist in urban regeneration by encouraging the recycling of derelict and other urban land.⁹

This same reasoning applies equally, we say, to the whole proposed site. We await the Inspector's decision.

Conclusion

Given all this, as currently proposed, the Plan is not sound because it is not justified or effective, nor is it consistent with national policy.

We ask the Inspectors to find the Plan unsound as submitted, and to recommend non-adoption.

⁶ <https://www.legislation.gov.uk/uksi/1997/1160/contents/made>

⁷ <https://photos.app.goo.gl/YmL9AJB3jNUqWu1s8>

⁸ <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3342877> & <https://pa.bristol.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RRZCGWDNKCW00>.

⁹ <https://www.bristol.gov.uk/residents/planning-and-building-regulations/keynsham-garden-centre-public-inquiry/cd6-councils-appeal-documents/8423-cd-6-03-lpa-statement/file> - pdf page 37 - from paragraph 169 to 174.