

DANDARA

LIVING

Bristol Draft Local Plan – Examination in Public

Matter 12 Statement: Urban Living

Issue 12.1:

Policy UL1: Effective and efficient use of land

Q12.1: Is Policy UL1 justified, effective and consistent with national policy? In particular:

- a) Is the policy sufficiently clear as to what is meant by efficient use of land and the development under-used land?**

Dandara Living support that the policy seeks to make most efficient use of land by delivering development at higher density levels, however the policy wording is confusing, ineffective and unclear and inconsistent with national policy set out in paras. 8, 11 and 35 of the NPPF (December 2023).

There is no clear definition of what a ‘suitable site’ is when considering more intensive forms of development. This will result in ambiguity and inconsistencies in how the policy is applied. It is considered that this should be deleted if this is not defined and it is not considered to be necessary to justify intensive forms of development in broad locations nor required to be consistent with the NPPF. As made clear by para. 129 of the Framework, this is especially important where there is an anticipated shortage of land to meet housing needs as claimed by the draft Local Plan.

It is also considered that “optimum density” should be replaced with “highest density” to make the policy effective in delivering efficient use of land, especially in the context of Bristol’s identified need for housing and the Council’s current claim that it cannot meet its housing needs.

DANDARA

LIVING

- b) References are made to the Urban Living: Marking Successful Plans Supplementary Planning Document. Has this document been produced and, if so, what does it require? If not, are the requirements of this document sufficiently defined and precise?**

The Urban Living: Making Successful Places at Higher Densities SPD is referenced within draft Policy UL1. This SPD was adopted in 2018 and is dated in terms of being relied upon in its entirety within this Policy. The SPD lacks clarity in respect of those details (such as height/massing) which impact density, for example suggesting increase in heights only in areas of lower/varied character (limited to 1.5 or 2 x prevailing heights) or strategic opportunity for contextually higher building (singular). This wholly conflicts with the overall objective of Policy UL1 and the wider objectives set out within the Framework of optimising delivery of development. Specifically, the approach of the SPD is directly inconsistent with the para. 129 which requires standards to seek a significant uplift unless it is demonstrated there are strong reasons why this would be inappropriate. It is therefore questionable whether the SPD remains fit for purpose in the context of policies of the draft Local Plan and rather is a constraint to the delivery of viable, higher density development. The application of the SPD to regeneration frameworks and masterplans has then subsequently informed the Development Strategy policies and capacities identified in the regeneration areas within the draft Local Plan. This 'bottom up' application of a dated SPD results in the overall Development Strategy demonstrably being unjustified.

If BCC consider their to be sections of the SPD that are still relevant and accord with the Framework then these should be drawn out into the wording of this policy to make it effective and up to date.

DANDARA

LIVING

- c) Given that Policy UL2 prescribes minimum densities for various areas in the city, does Policy UL1 provide additional requirements that would aid the assessment of a proposed development?**

No, as set out above and within Dandara Living's Regulation 19 representation it is considered that Policy UL1 is too vague and ineffective. Dandara consider that it would be more effective and justified if Policy UL1 and UL2 were combined into one clearer policy.

Policy UL2: Residential densities

Q12.2: Is Policy UL2 justified, effective and consistent with national policy? In particular:

- a) Policy UL2 refers to 'suitable sites', but this phrase has not been defined. Does wording provide sufficient certainty to future developers and decision-makers as to where developments with high densities should be directed?**

As set out above, there is no clear definition of 'suitable sites' within draft Policy UL2 or within the supporting text. The use of 'suitable sites' should be deleted from this policy as it would be more effective for all sites within locations for more intensive forms of development to be expected to have higher densities, especially in the context of the identified housing need. Policy UL2 does refer to characteristics and context of a sites to be considerations when assessing higher densities which would be appropriate considerations for any proposals. It is therefore not necessary to make a distinction that sites must be 'suitable', which provides ambiguity and scope for inconsistency in decision making.

DANDARA

LIVING

b) What evidence underpins the minimum densities listed in the policy?

As set out within Dandara Living's Regulation 19 representations, it is considered that there is no evidence that underpins the minimum densities listed in the policy and specifically the minimum net density target of 50dph is far too low given Bristol's urban environment and housing need which the draft Local Plan fails to recognise or target. This is evidenced by Diagram 1 itself which shows the Outer Urban Area, where the minimum 50dph applies, as representing only a small proportion of the City and therefore not an appropriate benchmark.

The Council's own evidence base, Para 1.3.2 of Bristol Urban Potential Assessment 2020-2040 (November 2023) sets out the mean average density as 130dph (2011-2022) with 84% of major development over the 50dph minimum. The assessment continues to state '*that relatively low delivery at densities below 60 dph since 2011 suggests that a range of different urban contexts within Bristol have proven able to sustain higher-density forms of development*'. Policy UL2 is therefore clearly inconsistent with the requirements of para. 129 of the Framework which requires policies to optimise land use, be robustly tested and seek a significant uplift in average densities. This position is similarly the case for the range of densities set out in the table in Policy UL2 – both the outer and inner area's general and more intensive density figures are below the average 130dph being delivered as set out in the Council's evidence base. Even the more intensive density for Bristol City Centre is only set at 200dph which is very low for urban areas and again inconsistent with the Council's own evidence base which shows over a third of major developments were delivered over 200dph.

DANDARA

LIVING

When reviewing the most recent planning decisions made at planning committee from October 2024 onwards the following proposals have gained a resolution to grant planning permission in the city centre with the following densities:

- Former Peugeot Site, Clarence Road – LPA Ref: 22/06035/F – 544 dwellings per hectare;
- The Galleries Shopping Centre, Broadmead – LPA Ref: 24/01850/P – 300 dwellings per hectare (450 dwellings/750 PBSA bedspaces); and
- 38 Albert Road – LPA Ref: 24/02498/F – 850 dwellings per hectare (531 PBSA bedspaces).

It is clear that the residential density figures contained within Policy UL2 do not represent a significant uplift in the average density of 130dpa, contrary to national policy, and specifically the minimum figures for the inner urban area and city centre are grossly below the density of development coming forward within these areas, as highlighted above by the recent planning decisions by the City Council.

- c) Table in Policy UL2 refers to suggested minimum densities, whilst the text of the policy outlines the circumstances where a lower density might be acceptable. Therefore, are the text and the table in Policy UL2 compatible?**

The supporting text of Policy UL2 set out that the aim of the policy is to ensure the efficient use of land through requiring higher density forms of development. Although Dandara Living do not agree with the minimum densities set, which are considered to be too low on the basis of the Council's own evidence base, as set out

DANDARA

LIVING

above, the principle of setting minimum densities is considered appropriate and justified.

It is therefore considered unjustified to outline circumstances where a lower density to the minimum densities set might be acceptable. The circumstances are not considered to be exceptional circumstances and make the policy ineffective and not positively prepared in its purpose for delivering efficient use of land and therefore contrary to para 129 of the NPPF. All circumstances listed should therefore be removed from the wording of the policy.

- d) The policy refers to the need to consider ‘market signals’. Are the requirements as to what information should be provided in respect of these points sufficiently defined to be clear and unambiguous; and how will it be assessed?**

It is not clear why there is a need to consider ‘market signals’ when considering minimum residential densities and there is no definition or explanation as to the intention is in relation to ‘market signals’. Dandara Living consider that ‘market signals’

should be defined or expanded upon to make this part of the policy effective. As an example, this could relate to new Government legislation that is adopted which puts pressure on the deliverability of taller, high density developments. For example, this could include the requirements of the Building Safety Act which puts considerable burden on both the viability of a scheme and its timescales for delivery, which in turn may result in the need to consider these types of ‘market signals’ and whether development at lower densities is more appropriate to ensure delivery of viable developments.

Word Count: 1,576