

Bristol City Council's response to Inspectors' matters, issues and questions

Matter 7: Other Housing Policies

This statement sets out the council's response to the Inspectors' matters, issues and questions regarding other housing policies matters.

Council's introduction

The Inspectors' questions are shown below in ***bold italics*** with a border, following any preamble to the question also in ***bold italics***. The council's responses are shown in normal typeface below the Inspector's questions.

Suggested main modifications arising from the Inspectors' questions are set out in grey tint boxes.

Responses to Inspectors' questions

Issue 7.1: Whether policies relating to affordable housing positively prepared, justified, consistent with national policy and effective.

Policy AH1: Affordable housing provision

Policy AH1 states that residential developments of 10 dwellings or more will be expected to provide at least 35% affordable housing as part of the dwelling mix. Diagram 6.1 and the table under paragraph 6.21 suggest that there are areas where the 35% would not be viable. The response to PQ70 acknowledges this. Under this policy, the City Centre would be subject to a 'threshold' approach and areas where 35% would not be viable, developers would be expected to work with the Council to deliver respective shortfalls through other mechanisms.

Paragraph 33 of the NPPF states that Plans should set out the contributions expected from development. This should include setting out the levels of affordable housing provision required. It states that such policies should not undermine the deliverability of the Plan.

Q7.1: Is policy AH1 positively prepared, justified, consistent with national policy and effective? In particular:

a) Is the policy clearly written and unambiguous such that it is clear what proportion of affordable housing any developer would be expected to provide?

Council's response

1. The policy identifies an expectation that residential developments of 10 or more dwellings provide 35% affordable housing. The policy explains that this can be achieved by initially identifying the maximum proportion that can be delivered viably without public subsidy and then, if a shortfall is identified, to work with the council to deliver the remaining proportion through various mechanisms. The likely percentages that could be achieved without public subsidy in different locations are identified in the explanatory text under paragraph 6.21 (within the table and diagram 6.1). The percentages are 35% in North West Bristol and 30% in all other locations apart from Bristol City Centre. The policy also expects a threshold level of affordable housing to be delivered in Bristol City Centre which is identified as 20% in the

explanatory text under paragraph 6.23. Paragraph 6.25 of the explanatory text sets out example mechanisms to address any shortfall occurring. Further explanation of the policy approach is set out in the council's response to questions PQ70 and PQ71 of the Inspectors' Preliminary Questions (EXA024).

Q7.1 b) Are the affordable housing requirements justified by proportionate and up-to-date evidence about need and viability?

Council's response

2. The justification for the 35% affordable housing figure across the city is set out in the council's response to question PQ70 of the Inspectors' Preliminary Questions (EXA024). The percentage is based on the estimated level of affordable housing that could be delivered as a proportion of Bristol's housing requirement. The level of affordable housing need is identified in the council's response to question PQ72 of the Inspectors' Preliminary Questions (EXA024) and set out in the Local Housing Needs Assessment (EVEH03). The level of need identified cannot realistically be met given the city's housing capacity and viability considerations.

3. The likely affordable housing percentages that could be achieved without public subsidy including the threshold level of affordable housing, identified in the explanatory text under paragraph 6.21 (within the table and diagram 6.1) and in paragraph 6.23, have been informed by the council's viability assessment (EVEV01), actual percentages secured through s106 over the last 10 years, and existing local plan affordable housing policy. The council's viability assessment (EVEV01) has determined that schemes in the north west parts of the city, where values are at the top end of the range, could provide between 30% to 45%; in the City Centre would be unlikely to provide more than 20%; and in lower value suburban areas could viably provide 30%. The assessment also recommends that an area-based approach, setting achievable percentages for each area, is adopted to maximise delivery.

Q7.1 c) Given the evidence, and reasoned justification, suggests 35% affordable housing would not be viable in all parts of the City, is it justified or consistent with national policy to expect this to be provided on all developments of 10 dwellings or more?

Council's response

4. The policy explains how the 35% affordable housing expectation is to be achieved. This includes delivering the maximum viable proportion without public subsidy, having regard to the likely achievable percentages and the threshold approach set out in the explanatory text (under paragraph 6.21 and within paragraph 6.23), and if a shortfall is identified to work with the council to deliver the remaining proportion through other mechanisms as also set out in the explanatory text (under paragraph 6.25). In Bristol City Centre, where 20% can be provided, and in all other locations apart from North West Bristol, where 30% is identified as achievable, the approach would necessitate developers working with the council to achieve the 35% level.

5. The Local Housing Needs Assessment (EVEH03) demonstrates a high level of affordable housing need within the city. The NPPF expects that the needs of groups with specific housing requirements are addressed (NPPF September 2023 para. 60

& 62, NPPF December 2024 para. 61 & 63). For these reasons, a policy approach that seeks to increase the amount of affordable housing secured, above that currently deliverable without public subsidy, is considered reasonable and appropriate. Such an approach is also consistent with current Bristol City Council practice that seeks to deliver additional affordable housing within private development using various mechanisms including other available sources of funding.

Q7.1 d) Is the 'threshold approach' for proposals in the City Centre, and the 20% threshold itself, referred to in the second bullet point and paragraph 6.23, justified and is the policy clear and unambiguous as to how it would be implemented? If so, should the threshold be included in the policy to be effective?

Council's response

6. The 20% threshold approach has been explained in the council's response to question PQ71 of the Inspectors' Preliminary Questions (EXA024). The approach to implementation is set out in the policy and the explanatory text at paragraph 6.23. The council's viability assessment (EVEV01) has indicated that schemes in the City Centre would be unlikely to provide more than 20%.

Q7.1 e) Paragraph 6.23 states that where the 'threshold' approach is used, a developer should agree to commence development within 18 months of any permission being granted. Is such a requirement justified and, if so, should it be included in the policy to be effective?

Council's response

7. This condition of the threshold approach, as set out in the Affordable Housing Practice Note (EXA017), has been operational since 2018. Developers active within Bristol, particularly central Bristol are familiar with the approach. The condition is set out in the explanatory text at paragraph 6.23.

Q7.1 f) Where 35% affordable housing without public subsidy is proposed, would it be justified and consistent with national policy to expect applicants to identify the maximum provision of affordable housing that can be achieved viably without public subsidy (first bullet point)?

Council's response

8. As set out in the council's response to question PQ72 of the Inspectors' Preliminary Questions (EXA024), it is not the intention of the policy to seek any more than 35% affordable housing from private development without public subsidy.

Q7.1 g) Where 35% affordable housing without public subsidy is proposed, would it be justified and consistent with national policy to expect applicants to work with the Council to explore ways to increase delivery above this figure (fourth bullet point)?

Council's response

9. The Local Housing Needs Assessment (EVEH03) demonstrates a high level of affordable housing need within the city. The NPPF expects that the needs of groups with specific housing requirements are addressed (NPPF September 2023 para. 60 & 62, NPPF December 2024 para. 61 & 63). For these reasons, where a developer can viably deliver 35% affordable housing, it is considered reasonable and appropriate to request that the developer work with the council to explore ways to increase delivery through other appropriate mechanisms. This approach is consistent with current Bristol City Council practice that seeks to deliver additional affordable housing within private development through various mechanisms including other available sources of funding.

Paragraph 6.24 refers to the Council seeking to operate a rolling review of percentages sought and that any revised percentages will be set out in the Council's Affordable Housing Practice Note. The Council's response to PQ73 states that although the 35% overall policy requirement would remain constant, the percentages sought without public subsidy may need to be varied across the plan period to reflect market circumstances. It concludes that this practice has already been implemented and that the Council will continue to undertake such reviews, including the commissioning of new viability assessments to ensure percentages remain up to date.

Q7.1 h) Would the 'rolling review' of policy requirements through use of 'practice notes' be justified, consistent with national policy and the plan-led approach?

Council's response

10. An ability to review the affordable housing percentages sought without public subsidy (set out under paragraph 6.21 and within paragraph 6.23 of the explanatory text) is considered necessary in order to capture any potential improvements in market circumstances over time. The 'rolling review' of percentages identified in paragraph 6.24 of the explanatory text could be undertaken as part of the local plan review process as set out in the national planning policy framework (Preparing and reviewing plans) and planning practice guidance ([Plan reviews](#)).

11. To avoid confusion on how the 'rolling review' would be undertaken a suggested modification to paragraph 6.24 has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy AH1, paragraph 6.24

To ensure the delivery of affordable housing without public subsidy can be maximised throughout the plan period the council will operate a rolling review of percentages sought. This will include a review of development viability at an early stage in the plan period, and at later stages where appropriate, to ensure percentage levels remain up-to-date and reflect current market circumstances. The council will also monitor the level of affordable housing secured without public subsidy through its annual Authority's Monitoring Report and/or other mechanisms. ~~Any revised percentages will be set out in the council's Affordable Housing Practice Note.~~

The policy seeks a tenure split of 75% social rent and 25% affordable home ownership which can include First Homes. Paragraph 6.30 states there may be situations where a different tenure split may be acceptable. Paragraph 6.31 indicates that the type and size of affordable housing will be guided by the Local Housing Needs Assessment and other local housing requirements.

Q7.1 i) Is the proposed tenure split and approach to First Homes justified and consistent with national policy?

Council's response

12. The Local Housing Needs Assessment (LHNA)(EVEH03) identifies a need for over 11,000 social rented homes over the plan period. This represents the highest level of need in terms of affordable homes required and would account for over 90% of the estimated 12,000 affordable homes that could be delivered, as identified in the council's response to question PQ70 of the Inspectors' Preliminary Questions (EXA024). Current national policy places a particular emphasis on meeting the need for social rent homes. The next largest category of affordable housing need identified in the LHNA is for shared ownership products.

13. Whilst the high level of need for social rented homes would suggest that most affordable housing delivered would need to be within this tenure, the proportion sought by the policy is set at 75%. This was determined by the previous national policy expectation that 25% of any affordable housing contribution secured should be delivered as First Homes, as set out in ['Affordable Homes Update' Written Ministerial Statement \(24 May 2021\)](#) and national planning practice guidance relating to [First Homes \(24 May 2021\)](#). However, the flexibility provided by the policy, which allows the 25% affordable home ownership proportion to be delivered either as First Homes or shared ownership (see para. 6.29), ensures its consistency with current national policy which no longer requires 25% First Homes but allows for their continued delivery where appropriate (NPPF December 2024, para. 66, footnote 31), and acknowledges the need for affordable home ownership identified in the LHNA.

14. The approach allows for the provision of other affordable housing tenures in particular circumstances. These are set out in the explanatory text at paragraph 6.30 (see response to Q7.1 j).

Q7.1 j) To be effective, should the provisions of paragraphs 6.30 and 6.31 be included in the policy?

Council's response

15. To provide further clarity on the approach to affordable housing tenures suggested modifications to the policy, which reflect the provisions set out at paragraphs 6.30 and 6.31 of the explanatory text, have been added to the Schedule of Suggested Main Modifications. These are shown below:

Policy AH1, policy text, section 'Affordable housing tenure proportion'

Affordable housing secured without public subsidy should normally be provided as 75% social rent and 25% affordable home ownership which can include First Homes.

Where additional affordable housing is sought to meet a shortfall against the 35% minimum proportion, or, where the 35% minimum proportion can be exceeded the council may accept an alternative tenure mix for these units.

Policy AH1, policy text, section '*General provisions*'

In all cases proposals should ensure that:

- Affordable housing provision is....

The council's Affordable Housing Practice Note provides guidance on the implementation of this policy.

The type and size of affordable housing provided should be guided by the Local Housing Needs Assessment and other local housing requirements.

Issue 7.2: Whether the remaining policies relating to housing delivery positively prepared, justified and consistent with national policy and would they be effective in securing sustainable development?

Policy H4: Housing Type and Mix

Q7.2: Is Policy H4 justified, consistent with national policy and effective? In particular:

a) Is the policy clearly written and unambiguous about what type and mix of housing would be expected, or what information would be used to inform a decision?

Council's response

16. The policy does not prescribe the type, tenure or size of housing expected in residential developments. Instead, a criteria based approach sets out the issues to be considered in determining an appropriate mix of housing. The same approach is used in existing local plan policy BCS18 'Housing Type' (DPD001).

17. To provide further clarity on the information required to help determine an appropriate mix of housing, including an explanation of what is meant by a harmful housing imbalance, a suggested modification to paragraph 6.42 has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy H4, paragraph 6.42

The policy criteria will help to achieve an appropriate mix of housing within the development. ~~A number of evidence sources including the Local Housing Needs Assessment, other local housing needs studies and area specific guidance, can be used to inform the approach.~~ Proposals should have regard to Policy UL1 'Effective and efficient use of land' to inform the mix of housing types and sizes provided. Consideration should also be given to the composition of the existing housing stock of the area using Census data and to what extent this currently contributes to the creation of a mixed, balanced and inclusive community. A number of evidence sources including the Local Housing Needs Assessment, other local housing needs studies and area specific guidance can also inform the approach to housing mix. Proposals should seek to mitigate any harmful housing imbalance within an area, for example where one particular form of housing is dominant resulting in a reduction of housing choice, or exceeds a stated threshold set out in relevant policies or

guidance. Consideration should also be given to the characteristics of the site including site location, size and topography and how this could affect the mix of housing provided.

Q7.2 b) Is the policy, or reasoned justification, clear about what “harmful imbalances” it is seeking to redress?

Council's response

18. See response to Question 7.2 a above.

Policy H5: Self-build and community-led housing

Policy H5 deals with the issue of self-build and custom housebuilding and/or community-led housebuilding. It identifies specific sites where provision is to be made, the approach to areas of growth and regeneration, exception sites and affordable housing. The Council's response to PQ74-77 provides further detail as to the Council's justification for approach proposed and how it will be implemented, including how and why the specific sites have been identified, how decision makers would be expected to decide appropriate proportions of such housing in areas of growth and regeneration and the reasons for the exception site locations and approach.

Q7.3: Is Policy H5 positively prepared, justified, consistent with national policy and effective? In particular:

a) What need for self-build and custom housebuilding and/or community-led housebuilding has been identified and would the policy be effective in ensuring this is met?

Council's response

19. The need for self-build, custom housebuilding and community-led housing has been informed using demand data from the Bristol self-build and custom housebuilding register, as consistent with national planning practice guidance ('Self-build and custom housebuilding' - Paragraph: 011 Reference ID: 57-011-20210208; 'Housing needs of different groups' - Paragraph: 003 Reference ID: 67-003-20190722). The numbers of individuals and groups on the register by October 2022, less serviced plots granted planning permission since the register was established, was around 1,400. However, it is likely this figure reflects a general aspiration to build a home rather than reflecting objective demand. The council has not introduced a financial solvency test or a fee for entry on the register which could have significantly reduced numbers. Furthermore, the council has not reviewed the register since it was established to determine whether individuals should be removed or no longer wish to be on the register. Given these factors the actual demand for plots could be significantly less than the number indicated by the register.

20. Having regard to the policy provisions the theoretical level of self-build, custom-build and/or community-led homes that could be delivered would be around 780 units. This is based on the estimated homes capacity for sites allocated specifically for this form of housing, 5% of the estimated homes capacity on the remaining allocated sites, no more than 5% on sites within growth and regeneration areas, and the estimated homes capacity for sites the council is currently working with

community organisations to deliver community-led housing on. Further capacity could be delivered on community-led housing exception sites. Overall, the policy could deliver a substantial proportion of the likely need having regard to the factors set out above.

Q7.3 b) Are the allocations where self-build and custom housebuilding and/or community-led housebuilding justified? Have these sites been identified on an appropriate and consistent basis? What reasonable alternatives were considered?

Council's response

21. The basis for identifying the five allocated sites has been explained in the council's response to question PQ74 of the Inspectors' Preliminary Questions (EXA024). Sites at Bath Road, Brislington and land to the west of Elsbert Drive are the largest of the residential allocated sites that are undeveloped and where no existing planning permission exists and therefore provide the greatest opportunity to accommodate a proportion of this form of housing.

Q7.3 c) Is the requirement to deliver 5% self-build and custom housebuilding and/or community-led housebuilding at Bath Road, Brislington (DS12) and Land to the West of Elsbert Drive, Highridge (DS11) justified?

Council's response

22. The justification for requiring 5% of homes on allocated sites at Bath Road Brislington and land to the west of Elsbert Drive, Highridge to be delivered as self-build/custom-build and/or community-led housing has been provided in the council's response to question PQ75 of the Inspectors' Preliminary Questions (EXA024).

Q7.3 d) Is the proposed main modification to Policy H5, as set out in EXA002.1, necessary to make the Plan sound? Would altering 'will' to 'should' make the policy more, or less, clear about what is expected?

Council's response

23. The council's suggested modification set out in the Schedule of Suggested Main Modifications (EXA002) was made to ensure the wording of this part of the policy is consistent with other policies in the local plan (particularly DS12).

Q7.3 e) Is the policy clear and unambiguous as to the proportion of self-build and custom housebuilding and/or community-led housebuilding would be required in growth and regeneration areas? If, as suggested in the response to PQ76, the proportion would not exceed 5% then, to be effective, should this be made clear in policy?

Council's response

24. To provide further clarity on the proportion of self-build/custom build and or community-led housing to be delivered within growth and regeneration areas a suggested modification to the policy to reflect the council's response to question

PQ76 of the Inspectors' Preliminary Questions (EXA024) has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy H5, policy text, section '*Growth and regeneration areas*'

A proportion of self-build/custom-build housing and/or community-led housing (no more than 5%) will be sought as part of the overall development of identified growth and regeneration areas.

Q7.3 f) What would be expected to be part of the 'further guidance' referred to in paragraph 6.48? Are there any aspects of this that should be in the policy?

Council's response

25. Further information or guidance may come forward in future to assist applicants, self and custom builders and community-led housing groups in the delivery of this form of housing. However, there is no need to reference this in the explanatory text. A suggested modification that deletes paragraph 6.48 has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy H5, paragraph 6.48

~~Detailed information on the delivery of self-build/custom-build housing and community-led housing as part of larger development sites will be set out in further guidance.~~

Q7.3 g) Is the approach to community-led exception sites justified, clear as to the circumstances in which such housing would be considered acceptable and, specifically in the case of development affecting community uses and reserved open space, consistent with national policy which seeks to protect such assets?

Council's response

26. The approach is seeking to increase the opportunity for community-led housing groups to acquire and develop sites to provide homes, by loosening policy requirements for certain types of site. The approach has been explained and justified in the council's response to question PQ77 of the Inspectors' Preliminary Questions (EXA024).

27. The approach is consistent with the current NPPF (December 2024) which expects local planning authorities to seek opportunities through policies to support small sites to come forward for community-led development for housing (paragraph 73). The approach is also consistent with national planning practice guidance which asks authorities to consider how planning policies can address identified requirements for self or custom build by ensuring plots come forward either on allocated sites or on 'certain types of site' ('Self-build and custom housebuilding' - Paragraph: 025 Reference ID: 57-025-20210508).

28. The policy identifies the types of site that would be appropriate, and the requirements that need to be met in order for community-led housing proposals to be permitted.

29. As regards community uses, the type of site that would be permitted for community-led housing is described as 'redundant community facilities land or

buildings'. This refers to a community use that has ceased operation i.e. a vacant or unused site or building. The approach would not permit community-led housing to replace land or buildings in use as a community facility and is therefore consistent with national policy (NPPF - September 2023) which expects local plan policies to ensure established shops, facilities and services are retained for the benefit of the community (paragraph 93).

30. As regards reserved open green space, the requirements that would need to be met to permit community-led housing include demonstrable support from the local community, and no deficiency of open space resulting from the proposal. The second requirement is the same as criterion (ii) of policy GI2 'Reserved Open Green Space'. This criterion is consistent with national policy (NPPF - September 2023) which expects open space to not be built on unless an assessment has been undertaken which has shown it to be surplus to requirements (paragraph 99).

Q7.3 h) Are the provisions relating to affordable housing justified and consistent with national policy? On what basis are sites that are not allocated for self-build or custom build exempt from Policy AH1?

Council's response

31. A modified approach to affordable housing that reflects a previous consultation version of the policy (Bristol Local Plan Review: Draft Policies and Development Allocations - Consultation March 2019)(PCD002) is proposed. This version of the policy did not seek affordable housing from this form of development. It is considered that a return to this approach would provide greater clarity to the decision maker. The approach is consistent with the policy's overall support for the delivery of self-build/custom housebuilding and community-led housing as types of home that can contribute to greater housing choice and provide lower cost options for households (see para. 6.43).

32. A suggested modification to the policy that removes the requirement for affordable housing and consequential modifications to paragraphs 6.47, 6.52 and 6.53 of the explanatory text have been added to the Schedule of Suggested Main Modifications. These are shown below:

Policy H5, policy text, section '*Affordable housing*'

~~Proposals for community-led housing on sites allocated specifically for self-build, custom housebuilding and community-led housing and on community-led housing exception sites should, where viable, be delivered primarily as affordable housing. On all other sites proposals that include community-led housing should contribute towards the provision of affordable housing in accordance with policy AH1 'Affordable housing provision'.~~

~~Policy AH1 will not apply to homes developed for self-build and or custom housebuilding except on sites that are allocated as listed above.~~

Policy AH1 'Affordable housing provision' will not apply to proposals for homes defined as self-build and custom housebuilding and/or community-led housing.

Policy H5, paragraph 6.47

For the purposes of this policy self-build and custom-build housing is where individuals are involved in building or managing the construction of their home or where they commission their home making key design and layout decisions in accordance with the definition set out in the Self-build and Custom Housebuilding Act 2015 (as amended).

...

Policy H5, paragraphs 6.52 and 6.53

Affordable housing

~~Community-led housing development is more likely to meet the national policy definition of affordable housing as proposals are usually brought forward to address local housing affordability issues. Community-led housing development should therefore be delivered primarily as affordable housing, where this is viable, on sites allocated for that form of housing or on community-led housing exception sites. On other sites where community-led housing is sought proposals should include a contribution towards the provision of affordable housing in accordance with policy AH1.~~

~~Proposals for self-build and custom housebuilding development are generally delivered as market housing and are exempted from providing certain forms of affordable housing by national policy. However, proposals can be brought forward in partnership with a Registered Provider to include units for rent that will meet national policy affordable housing definitions. To reflect this possibility, proposals for self-build and custom housebuilding development on all allocated sites listed in the policy should provide a contribution towards the provision of affordable housing in accordance with policy AH1.~~

Policy H6: Houses in multiple occupation and other shared housing

Q7.4: Is Policy H6 justified, consistent with national policy and effective? In particular:

a) Is the policy clear and unambiguous in respect of proposals needing to avoid a local imbalance? Paragraphs 6.63 and 6.64 sets out the circumstances in which a local imbalance is likely to arise. To be effective, should these circumstances be set out in the policy?

Council's response

33. To provide further clarity on how proposals can avoid a local imbalance a suggested modification to the policy, which reflects the circumstances explained at paragraphs 6.63 and 6.64, has been added to the Schedule of Suggested Main Modifications (EXA002.2). This is shown below:

Policy H6, policy text, section 'Houses in multiple occupation - avoiding a local imbalance'

Proposals for the development of houses in multiple occupation will not be permitted where the development would result in any residential property or properties being located sandwiched between two houses in multiple occupation. This includes up to three existing residential properties in a single street located between two HMO

properties and other sandwiching variations set out in the Managing the development of houses in multiple occupation Supplementary Planning Document.

Where any residential property or properties are already located sandwiched between two houses in multiple occupation proposals for the intensification of either house in multiple occupation, for example the provision of additional bed spaces, will not be permitted.

Within a defined area P proposals for the development of houses in multiple occupation will not be permitted where the development would result in more than 10% of the total dwelling stock of the defined area being occupied as houses in multiple occupation within a 100 metre radius of the application property or site (including the proposal).

Within a defined area P proposals for the intensification of existing houses in multiple occupation, for example the provision of additional bed spaces, will not be permitted where 10% or more of the total dwelling stock of the defined area is already occupied as houses in multiple occupation within a 100 metre radius of the application property (including the proposal).

Q7.4 b) Will it be clear to the decision maker how to react to proposals when assessing the individual criteria in parts (i) and (ii) of the citywide criteria? Is there any justification to include any additional criteria?

Council's response

34. The criteria set out under the first section of the policy 'Houses in multiple occupation and other shared housing - Citywide criteria' provide a clear approach to addressing the impacts and issues arising from this form of accommodation. No further criteria are considered necessary. The criteria have been replicated from existing policy DM2 'Residential Sub-divisions, Shared and Specialist Housing' (DPD002).

Q7.4 c) Is the policy approach towards 'sandwiching' of residential properties justified?

Council's response

35. The 'sandwiching' approach has been explained in the council's response to question PQ79 of the Inspectors' Preliminary Questions (EXA024).

Q7.4 d) Is the 10% threshold of the total dwelling stock of a defined area as set out in the policy justified and will it be effective in achieving the aims of the policy?

Council's response

36. The 10% threshold approach has been explained in the council's response to question PQ79 of the Inspectors' Preliminary Questions (EXA024).

Policy H7: Managing the development of purpose-built student accommodation

Q7.5: Is Policy H7 justified, consistent with national policy and effective? In particular:

a) What overall need for purpose built-student accommodation has been identified and would the policy be effective in ensuring this is met?

Council's response

37. A need for 8,800 bed spaces is identified. This is set out at para. 6.76 of the explanatory text to policy H7 and explained in more detail in the Managing the Development of Purpose-Built Student Accommodation topic paper (TPC006) and the council's response to questions PQ84 and PQ85 of the Inspectors' Preliminary Questions (EXA024).

38. The policy initially makes provision for 8,950 bed spaces, at University of Bristol residential sites including Clifton and Stoke Bishop residential campuses and at specific locations which are in areas of growth and regeneration including the University of Bristol city centre precinct, Bristol Temple Quarter and St. Philip's Marsh, Bristol Shopping Quarter, Frome Gateway and Central Bedminster. Bed space numbers are allowed to be exceeded in growth and regeneration areas in particular circumstances. The policy then makes provision for bed spaces in locations supported by local communities and then makes provision in all other locations subject to specified criteria. This range of development options would provide for a level of bed spaces in excess of the need identified.

39. It is also important to note that in addition to the bed spaces provided for by the policy there is currently a pipeline supply of around 2,600 bed spaces (with planning permission or under construction) outside of the specific locations defined in the policy. A further 1,800 bed spaces are also currently subject to planning outside of the specific locations defined in the policy.

40. In relation to the Stoke Bishop residential campus the council understands that the current number of bed spaces provided on the site, around 2,400, may not be fully occupied. On this basis, and following consultation at an earlier stage in plan preparation the provision of 500 additional bed spaces was considered appropriate and proportionate. It is noted that the University of Bristol's representation on the Bristol Local Plan Publication Version (November 2023) suggested that the 500 bed space provision figure for Stoke Bishop and the 200 bed space provision figure for Clifton were under-estimates and that the campuses were capable of accommodating additional bed spaces, particularly if a higher density approach were taken or if the campuses were to expand onto nearby land in the future. The representation did not at that stage provide suggested figures for the level of additional bed spaces at each campus.

Q7.5 b) How does the provision of student accommodation contribute to the overall housing numbers and is this justified?

Council's response

41. The contribution of PBSA to the overall housing number has been captured within the following sources of supply, set out in the SHLAA (EVEH01), based on the best available information at the time of publication:

- Residential capacities in areas of growth and regeneration - Student beds based on bed space numbers identified in policy H7 or actual planning permissions and proposals.
 - An allowance for student accommodation within the citywide assessment - Student beds based on bed space numbers identified in policy H7.
 - Other planning permissions for student accommodation.
42. Student accommodation contributes to the overall housing number at a factor of 2.4 bed spaces to 1 dwelling.

Q7.5 c) Is the principle of the numbers and defined locations/distribution as set out in the policy (for the University of Bristol sites, Bristol city centre, Bristol Temple Quarter and St Philip's Marsh, Broadmead, Frome Gateway and Central Bedminster) justified?

Council's response

43. The selection of the defined locations and the associated number of bed spaces have been explained in the Managing the Development of Purpose-Built Student Accommodation topic paper (TPC006).

Q7.5 d) Will it be clear to the decision maker how to react to proposals when assessing them against the three bullet points in the first paragraph of the policy? How does this relate to the final paragraph of the policy relating to general provisions? Are the general provisions also capable of being assessed appropriately?

Council's response

44. The three bullets in the first section of the policy describe the strategic and/or general intent of the policy overall. The sections that follow provide the detailed mechanisms to assess proposals. Bullet one seeks to avoid adverse effects on existing communities; Paragraph 6.73 of the explanatory text states that to achieve this, development should be located in the defined locations (sections 2 and 3 of the policy), in locations supported by local communities (section 4 of the policy), in all other locations provided proposals are balanced with other community needs (section 5 of the policy) and that development should comply with all other relevant policy provisions which will include relevant criteria under the 'general provisions' section of the policy (section 7). Bullet two seeks to ensure consistency with other planning policies listing a number of broad policy areas. Bullet three seeks to co-ordinate the provision of purpose-built student accommodation with growth in the student population.

45. As explained above the 'general provisions' section of the policy forms part of the detailed requirements that development should meet in order to prevent adverse effects on existing communities. The criteria are considered clear with further detail on how development can meet the criteria set out in the explanatory text at paragraphs 6.89, 6.90 and 6.91.

Q7.5 e) Are the suggested main modifications to Policy H7 in response to PQ86 regarding the support needed of the relevant higher education provider

necessary for soundness? Is this part of the policy justified and will it be effective?

Council's response

46. The council's suggested modification set out in the Schedule of Suggested Main Modifications (EXA002) was in response to question PQ86 of the Inspectors' Preliminary Questions (EXA024) which sought a definition of larger scale development.

47. The expectation that proposals for PBSA have the support of the relevant higher education provider ensures that such proposals are both necessary and appropriate for students of that institution. Paragraph 6.75 of the explanatory text provides an example of how such support could be demonstrated.

Q7.5 f) Are the suggested main modifications to Policy H7 in response to PQ88 regarding the support of local communities necessary for soundness? Is this part of the policy justified and will it be effective?

Council's response

48. The council's suggested modification set out in the Schedule of Suggested Main Modifications was in response to question PQ88 of the Inspectors' Preliminary Questions (EXA024) which sought clarification on the ways that local communities could identify and demonstrate support for PBSA proposals.

49. Allowing PBSA development to come forward in locations that are identified and supported by local communities is consistent with key policy aims and considered an appropriate strategy. Such aims include enabling the delivery of student accommodation to match future growth in student numbers, ensuring that development comes forward in appropriate locations and ensuring development maintains a balance with the needs of the wider community. This part of the policy provides an effective opportunity to increase the overall supply of student accommodation.

Q7.5 g) The part of the policy referring to 'Other locations' indicates that proposals for purpose-built accommodation should form part of mixed-use locations. When considered with the other bullet points in this part of the policy, will it be effective?

Council's response

50. Section 5 of the policy (*Purpose-built student accommodation provision - other locations*) states that purpose-built student accommodation (PBSA) should form part of mixed-use developments comprising a proportion of other compatible residential uses only 'where feasible and appropriate'. This allows for circumstances where mixed use development cannot be practicably achieved. It should be noted that since the policy was first published for consultation in March 2019 numerous mixed use PBSA developments including schemes that have contained other compatible residential uses have come forward in Bristol and have gained planning permission.

51. The policy also seeks to ensure that proposals would not result in a local imbalance of PBSA. Paragraph 6.86 of the explanatory text identifies problems that can result where an imbalance occurs including a reduction in local housing choice,

a general weakening of the diversity of uses within an area and more intensive levels of activity that may have detrimental effects on the residential amenity/character of an area. Paragraph 6.87 of the explanatory text identifies guideline bed space thresholds to help determine when a local imbalance is likely to occur. The thresholds are not designed to restrict the overall supply of PBSA, instead they help to achieve a balance between the delivery of new PBSA and the expectations of the wider community and other development needs including new homes. The thresholds also help to achieve a better distribution of PBSA across areas. The explanatory text also allows for consideration of the mix of uses within proposals, including residential, to help determine whether an imbalance would occur. Proposals with a good mix of uses that address other development needs, in particular the wider need for homes, would be less likely to result in an imbalance even if thresholds were exceeded.

52. The policy also seeks a contribution towards traditional affordable housing, in line with policy AH1, to help address the significant need for affordable housing in the city. The contribution is only sought where proposals include self-contained units that are not cluster flats and are capable of being used as independent dwellings e.g. studio units. In line with policy AH1 proposals that contain 10 or more units of this description will be subject to an affordable housing contribution. It is accepted that the provision of small numbers of traditional affordable housing units within single use PBSA developments may not be practical or manageable. However, policy AH1 makes provision for financial contributions to be made in lieu of on-site affordable housing where justified and agreed with the council.

Q7.5 h) Paragraph 6.87 sets out the circumstances in which a local imbalance is likely to occur. To be effective, should these circumstances be set out in the policy and is the approach justified?

Council's response

53. Paragraph 6.87 of the explanatory text identifies guideline bed space thresholds to help determine when a local imbalance of PBSA is likely to occur. The thresholds are intended for use as a guide. Setting them out in the policy may create an undue rigidity to the assessment and potentially limit consideration of other relevant matters. For example, exceeding the thresholds may not result in a local imbalance of PBSA where proposals provide for a good mix of uses including other compatible residential uses. Retaining the thresholds as guidance within the explanatory text alongside other relevant considerations would be the preferred approach.

54. The purpose of the guideline bed space thresholds is explained above (Qu. 7.5 g) and is considered an appropriate means to help determine whether an imbalance of PBSA would be likely to occur. Further detail on the thresholds is set out in the Managing the Development of Purpose-Built Student Accommodation topic paper (TPC006).

Q7.5 i) The policy states that development in all locations will be expected to include an appropriate proportion of affordable student housing to meet identified need. Is this approach justified, based on viability evidence and will it be effective?

Council's response

55. The justification for the policy is set out in the Managing the Development of Purpose-Built Student Accommodation topic paper (TPC006). The topic paper includes reference to the Bristol City Council Local Plan Viability Assessment (EVEV01) which indicates that the development of PBSA would be viable with at least 35% affordable student housing provision in most cases.

56. It should be noted that a recent proposal for PBSA in Bristol from a large-scale provider included an offer of affordable student housing. The same provider has also delivered affordable student housing in other cities. This indicates that a general policy expectation for affordable student housing is deliverable.

Policy H8: Older People's housing and other specialised housing needs

Q7.6: Is Policy H8 positively prepared, justified, consistent with national policy and effective? In particular:

a) What is the need for older people's housing and will policy H8 be effective in ensuring this is met?

Council's response

57. The need for older people's housing is set out in the Local Housing Needs Assessment (LHNA)(EVEH03). The assessment identifies a relatively high need for both sheltered housing and extra care housing up to 2040. However, the assessment also states that there is uncertainty over whether older people will continue to seek these forms of housing in the future. Reasons given include falling demand for some forms of specialist housing, other emerging forms of housing that better serve changing aspirations, and the aim of supporting people in their home for longer which may reduce or alter demand for sheltered or extra care housing in the future. In this regard the need identified in the LHNA has been interpreted as a general need for suitable older people's housing rather than a need to deliver a specific level of sheltered and extra care housing.

58. The policy therefore encourages the delivery of a range of older people's housing including but not limited to sheltered housing and extra care. A description of the range of housing encouraged by the policy is provided at paragraph 6.95 of the explanatory text. It is considered that a large proportion of the need for older persons housing could be met through the provision of general housing that is suitable for older people to move to (or stay in) where specialist housing or care is not needed or wanted. Policy H9 'Accessible homes' plays an important role in ensuring that all new homes delivered can be easily adapted to meet the needs of an ageing population, and policy H4 'Housing type and mix' would encourage and support proposals for a mix of housing that could include homes suitable for older people.

59. The policy also sets out how the development of all forms of older people's housing can address the specific needs of older people, including affordable housing need, the need for housing in appropriate locations, the need for accessible housing and the need for a good standard of accommodation. This approach is consistent with national planning practice guidance which expects policies in local plans to set out how the decision maker will consider proposals for older people's housing ('Housing for older and disabled people' Paragraph: 006 Reference ID: 63-006-20190626).

Q7.6 b) Is the approach to affordable housing for older people justified and consistent with national policy? Have the affordable housing requirements, including the threshold and requirements set out in the 2nd paragraph, been subject to robust assessment of need and viability?

Council's response

60. The principle of seeking affordable housing within residential development for older people is consistent with national policy. The NPPF (September 2023) states that the size, type and tenure of housing needed for different groups including older people and those who require affordable housing should be assessed and reflected in planning policies (para. 62). National planning practice guidance also references the provision of affordable housing within the context of specialist housing for older people ('Housing for older and disabled people' - Paragraph: 015 Reference ID: 63-015-20190626).

61. The need for older people's affordable housing is included within the overall affordable housing need identified in the Local Housing Needs Assessment (EVEH03). It should be noted that the level of need identified exceeds any amount that could be practicably delivered in the city. The assessment also identifies the level of rented need (typically this would be affordable) for extra care housing. The council's response to question PQ90 of the Inspectors' Preliminary Questions (EXA024) also refers to further evidence on the need for affordable extra care housing to rent. The evidence provided justifies the need for an affordable housing contribution from extra care housing and other forms of older people's housing.

62. The justification of the site size threshold relating to the provision of affordable housing within extra care schemes has been provided in the council's response to question PQ90 of the Inspectors' Preliminary Questions (EXA024).

63. Given the evidence of need for affordable extra care housing a 10% expectation is considered reasonable. Other forms of older people's housing, including age-restricted general market housing, are very similar to general purpose housing. Such housing would fall within the general typologies of residential development tested in the council's viability assessment (EVEV01) which has been used to inform policy AH1. Policy H8 states that these types of housing should provide a contribution towards affordable housing in accordance with policy AH1.

Q7.6 c) Is the requirement in criterion v. that all dwellings to be built to the accessible and adaptable standard in part M4(2) of the building regulations (except those dwellings that are designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users) justified taking account of need and viability?

Council's response

64. The requirement that all housing for older people is designed to meet the M4(2) accessible and adaptable standard is consistent with the general aims and expectations of national planning practice guidance in relation to [housing for older and disabled people](#). The guidance states:

'Accessible and adaptable housing enables people to live more independently, while also saving on health and social costs in the future. It is better to build accessible housing from the outset rather than have to make adaptations at a later stage – both in terms of cost and with regard to people

being able to remain safe and independent in their homes.' (Paragraph: 008
Reference ID: 63-008-20190626)

65. The policy requirement is also based on the previous government's proposal to mandate the current M4(2) optional requirement in building regulations as a minimum standard for all new homes. The proposal was set out in response to the consultation '[Raising accessibility standards for new homes](#)' published on 29 July 2022. This proposal was confirmed by the Parliamentary Under-Secretary of State (DLUHC) on 5 February 2025 ([Housing: Accessibility Standards - Hansard, Vol. 835](#)). It is therefore considered appropriate to seek the M4(2) optional requirement for all new build housing until the government mandates the standard through building regulations. A number of other local authorities have also taken this approach.

66. The Bristol City Council Local Plan Viability Assessment (EVEV01) indicates that the M4(2) expectation can be accommodated in most cases without significant impact on viability (see para. 8.2 'Accessibility standards').

Q7.6 d) Is the requirement in criterion iii. that 10% of older people's and other specialised needs housing should be designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users (compliant with M4(3) of the building regulations) justified taking account of need and viability?

Council's response

67. The requirement relates to all older people's housing (with the exception of extra care housing) including age-restricted general market housing and retirement living or sheltered housing. These forms of housing do not generally provide care facilities and are more likely to be occupied by older people from around the age of 75. The Local Housing Needs Assessment (EVEH03) states that the proportion of existing households with a wheelchair user within the 75 to 84 age range (in Bristol) is 6.5% for market housing and 13.5% for affordable housing. On this basis it is considered reasonable to set the proportion of wheelchair housing sought for these forms of older people's housing at 10%.

68. The requirement also relates to other specialised needs housing which includes all forms of supported housing (excluding older people's housing). It is considered reasonable to set the proportion of wheelchair housing sought for this form of accommodation at 10% to reflect the likely need from client groups, which will include people with disabilities.

69. The Bristol City Council Local Plan Viability Assessment (EVEV01) indicates that the 10% M4(3) expectation can be accommodated in most cases without significant impact on viability.

Q7.6 e) Is the requirement in criterion iii. that 50% of extra care or housing with care dwellings should be designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users (compliant with M4(3) of the building regulations) justified taking account of need and viability?

Council's response

70. The requirement set out in criterion (iv) relates to extra care housing only. This form of housing usually provides a medium to high level of care and is more likely to be occupied by older people in the higher age ranges, around 80 years and above. As the proportion of households with a wheelchair user will be greater in the over 80 age category, it is considered reasonable to seek a higher proportion of wheelchair housing from this form of older people's housing. The Local Housing Needs Assessment (EVEH03) suggests that it may be appropriate to seek 100% wheelchair housing from this form of accommodation, citing the following issues:

- Many households living in this form of housing could need wheelchair homes;
- Some households are likely to progress to using a wheelchair whilst living in this form of accommodation due to a deterioration in their health;
- Any retrospective adaptation of residences to be used as wheelchair homes may be costly or difficult.

71. However, as some of the need for wheelchair housing for older people would be addressed through general purpose wheelchair housing secured under policy H9 'Accessible Homes' it is considered reasonable to seek a lower proportion of 50%.

72. The Bristol City Council Local Plan Viability Assessment (EVEV01) indicates that the 50% M4(3) expectation for extra care housing can be accommodated in most cases without significant impact on viability.

Q7.6 f) Is the approach set out in criteria iv. and v. to the M4(3) standard consistent with PPG ID: 56-009-20150327 which states that local plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling?

Council's response

73. The policy expectation for wheelchair user dwellings, set out in criteria (iii) and (iv), states that such dwellings should be '...designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users...'. Paragraph 6.104 explains the difference between 'wheelchair accessible' and 'wheelchair adaptable' homes and states that older people's affordable housing must be designed to be 'wheelchair accessible'. As local authorities are responsible for allocating or nominating persons to live in specific types of affordable housing the approach set out in paragraph 6.104 is broadly consistent with national planning practice guidance. However, to provide greater clarity on the circumstances where 'wheelchair accessible' homes would be sought a suggested modification to the explanatory text has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy H8, Paragraph 6.104

Building Regulations optional requirement M4(3) makes provision for 'wheelchair adaptable' homes (constructed with the potential to be adapted for occupation by a wheelchair user) under M4(3)(2)(a), or 'wheelchair accessible' homes (constructed to be suitable for immediate occupation by a wheelchair user) under M4(3)(2)(b). All older people's affordable housing secured must be designed to be 'wheelchair accessible'. Where development includes the provision of affordable homes for older

people that are secured as wheelchair user dwellings such homes should only be designed to be 'wheelchair accessible' where Bristol City Council intend to allocate or nominate a wheelchair user household to live in that home. Where applied this must be secured through an appropriate planning condition that states which homes are 'wheelchair accessible'. All other wheelchair user dwellings secured should be designed to be 'wheelchair adaptable'.

Q7.6 g) Paragraph 6.104 states that all older people's affordable housing secured must be designed to be wheelchair accessible. Is this justified and consistent with the guidance referred to above and, if so, to be effective should this requirement be set out in policy?

Council's response

74. See response to question 7.6(f) above.

75. Policy criteria (iii) and (iv) expect a proportion of dwellings to be designed as either wheelchair accessible or wheelchair adaptable. This replicates the approach under existing policy DM4 'Wheelchair Accessible Housing' (DPD002). It is considered appropriate to identify the circumstances where wheelchair accessible housing would be sought within the explanatory text.

76. In relation to the modification, it is considered reasonable to expect any wheelchair user dwelling secured under the policy to be designed as wheelchair accessible where the person to be nominated or allocated to live in that dwelling is a wheelchair user.

Q7.6 h) Is the approach set out in criteria iii., iv. and v. consistent with PPG ID: 56-00820160519 which states that local plan policies should also take into account site specific factors such as vulnerability to flooding, site topography and other mechanisms which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable? In this respect, how does Policy H8 relate to Policy H9, the reasoned justification of which refers to circumstances where optional requirements would not be sought?

Council's response

77. To provide further clarity a suggested modification to the policy which sets out the circumstances where optional requirements may not be sought, as described in paragraph 6.132 of Policy H9, has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy H8, policy text, section 'General provisions'

All older people's and other specialised needs housing should aim to meet the following criteria:

- i. Located close to...
- vi. ...needs of all occupiers.

Compliance with Building Regulations optional requirements M4(3) and M4(2) requires step free access along the approach route to and into the dwelling, including any dwelling within a building, and to any associated parking space and communal

facilities intended for the occupant's use. Where for reasons of topography or other specific factors a site or individual plot is less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable, alternative reasonable provision to ensure the dwelling achieves an appropriate level of accessibility will be sought.

Policy BTR1: Build to Rent Housing

Q7.7: Is Policy BTR1 positively prepared, justified, consistent with national policy and effective? In particular:

a) Are the thresholds and requirements, including tenure split, based on a robust assessment of viability and consistent with national policy and guidance?

Council's response

78. The approach to affordable housing, including tenure, have been explained in the council's response to question PQ92 of the Inspectors' Preliminary Questions (EXA024). Whilst the site size threshold for seeking affordable housing from build to rent development is not set out in the policy the expectation is that affordable housing is sought from major development as set out in paragraph 64 of the national planning policy framework (Sept 2023).

Q7.7 b) Paragraph 6.121a refers to a rolling programme of review of the percentage of affordable housing to be sought, which will be set out in the Affordable Housing Action Note. Is such an approach justified, consistent with statutory function of the development plan and national policy, including those relating to plan viability and planning obligations?

Council's response

79. An ability to review the affordable housing percentage sought by the policy is considered necessary in order to capture any potential improvements in market circumstances over time. The 'rolling review' of the percentage identified in paragraph 6.121a of the explanatory text could be undertaken as part of the local plan review process set out in the national planning policy framework (Preparing and reviewing plans) and planning practice guidance (Plan reviews).

80. To avoid confusion on how the 'rolling review' would be undertaken a suggested modification to paragraph 6.121a has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy BTR1, paragraph 6.121a

To ensure the delivery of affordable housing can be maximised throughout the plan period the council will operate a rolling review of the percentage sought. This will include a review of development viability at an early stage in the plan period, and at later stages where appropriate, to ensure percentage levels remain up-to-date and reflect current market circumstances. The council will also monitor the level of affordable housing secured through its annual Authority's Monitoring Report and/or other mechanisms. ~~Any revised percentage will be set out in the council's Affordable Housing Practice Note.~~

Q7.7 c) Are the suggested main modifications to Policy BTR1, as set out in EXA002.1, necessary to make the Plan sound?

Council's response

81. The reason for the council's suggested modification is set out in the Schedule of Suggested Main Modifications.

Policy H9: Accessible Homes

Q7.8: Is Policy H9 positively prepared, justified, consistent with national policy and effective? In particular:

a) Is the requirement that 10% of dwellings should be designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users (compliant with M4(3) of the building regulations) justified taking account of need and viability?

Council's response

82. The need for wheelchair housing is set out in the City of Bristol Local Housing Needs Assessment (LHNA)(EVEH03). Paragraph 5.48 of the assessment states:

'...the number of households likely to need wheelchair adapted housing in Bristol is likely to increase by 1,920 over the 20-year period. This amounts to 4% of the housing need over the same time period, so would suggest a need for 4% of new dwellings to be built to M4(3) standard (albeit the target may need to be higher, as not all new housing schemes would deliver the necessary percentage).'

83. The policy expectation set out at criterion (i) would only apply to developments of 10 dwellings or more. Over the last 20 years (2013-2023) major developments (10 or more dwellings) have accounted for around 76% of total housing delivery. Applying this percentage to the new local plan's housing requirement of 34,650 homes would mean that only 26,334 homes within major developments would be subject to the policy. In order to meet the need for 1,920 wheelchair homes identified in the LHNA the percentage sought could hypothetically be set at a minimum of 7.3% but would need to be higher having regard to the following issues:

- Not all schemes of 10+ homes would be able to deliver the minimum percentage due to site specific factors.
- A higher than minimum percentage is needed to compensate for any shortfall in wheelchair homes provision where such homes are purchased by non-wheelchair user households.
- To ensure a greater percentage of new homes are suitable for older people in the future who may want to stay in their own home rather than moving to specialist older peoples' housing.
- To provide a more rounded percentage.

84. For the reasons set out above an expectation that 10% of new build housing in proposals of 10 dwellings or more is designed to meet M4(3) of building regulations is considered appropriate.

85. The Bristol City Council Local Plan Viability Assessment (EVEV01) indicates that the 10% M4(3) expectation can be accommodated in most cases without significant impact on viability (see para. 8.2 'Accessibility standards').

Q7.8 b) Is the approach to M4(3) consistent with PPG ID: 56-009-20150327 which states that local plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

Council's response

86. The policy expectation for wheelchair user dwellings, set out in criterion (i), states that such dwellings should be '...designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users...'. Paragraph 6.131 explains the difference between 'wheelchair accessible' and 'wheelchair adaptable' homes and states that affordable homes must be designed to be 'wheelchair accessible'.

87. As local authorities are responsible for allocating or nominating persons to live in specific types of affordable housing the approach set out a paragraph 6.131 is broadly consistent with the PPG. However, to provide greater clarity on the circumstances where 'wheelchair accessible' homes would be sought, a suggested modification to the policy has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy H9, Paragraph 6.131

6.131 Where development proposals are subject to...Where development is subject to optional requirement M4(3) and includes the provision of affordable homes that are secured as wheelchair user dwellings such homes must should only be designed to be 'wheelchair accessible' where Bristol City Council intend to allocate or nominate a wheelchair user household to live in that home. Where applied this must be secured through an appropriate planning condition that states which homes are 'wheelchair accessible'. All other wheelchair user dwellings secured should be designed to be 'wheelchair adaptable'.

Q7.8 c) Is the requirement in criterion ii. that all dwellings to be built to the accessible and adaptable standard in part M4(2) of the building regulations (except those dwellings that are designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users) justified taking account of need and viability?

Council's response

88. The policy expectation set out at criterion (ii) was based on the previous government's proposal to mandate the current M4(2) optional requirement in building regulations as a minimum standard for all new homes. The proposal was set out in response to the consultation [Raising accessibility standards for new homes](#) published on 29 July 2022 and the proposal confirmed by the Parliamentary Under-Secretary of State (DLUHC) on 5 February 2025 ([Housing: Accessibility Standards - Hansard, Vol. 835](#)). It is therefore considered appropriate to seek the M4(2) optional requirement for all new build housing until the government mandates the standard

through building regulations. A number of other local authorities have also taken this approach.

89. The Bristol City Council Local Plan Viability Assessment (EVEV01) indicates that the M4(2) expectation can be accommodated in most cases without significant impact on viability (see para. 8.2 'Accessibility standards').

Q7.8 d) Paragraph 6.132 sets out the circumstances in which the optional requirements may not be sought. To be effective, should the potential for exemptions be set out in policy?

Council's response

90. To provide further clarity a suggested modification to the policy which sets out the circumstances where optional requirements may not be sought, as described in paragraph 6.132, has been added to the Schedule of Suggested Main Modifications. This is shown below:

Policy H9, policy text

To ensure new homes are accessible to all...

- i. At least 10% of new build housing...
- ii. All new build housing...

Compliance with Building Regulations optional requirements M4(3) and M4(2) requires step free access along the approach route to and into the dwelling, including any dwelling within a building, and to any associated parking space and communal facilities intended for the occupant's use. Where for reasons of topography or other specific factors a site or individual plot is less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable, alternative reasonable provision to ensure the dwelling achieves an appropriate level of accessibility will be sought.