

REF: R00118/DB/MR

VIA EMAIL ONLY: [Robert.Young@Bristol.gov.uk](mailto:Robert.Young@Bristol.gov.uk)

7 March 2025

Dear Mr Young,

**EXAMINATION OF THE BRISTOL LOCAL PLAN 2022-2040  
HEARING STATEMENT: MATTER 14  
ROK PLANNING ON BEHALF OF UNITE GROUP PLC**

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

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

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

Following on from the representations submitted on behalf of Unite to the draft BLP Publication Version at Regulation 19 Stage, dated 26<sup>th</sup> January 2024 and hereafter referred to as 'Reg. 19 reps', this Statement focuses on Matter 14: Climate Change and Flood Risk.

**ISSUE 14.1: WHETHER POLICIES RELATING TO CLIMATE CHANGE AND ENERGY EFFICIENCY ARE JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY**

## GENERAL MATTERS

**Q14.1: Do any other elements of policies NZC1, NZC3, NCZ4 or NCZ5 fall within the scope of the WMS? If so, do any of the requirements exceed current or future building regulations? If so, are these elements justified and consistent with the requirements of the WMS?**

No comment.

**Q14.2: Have the requirements of policies NZC1 to NZC5 been subject to robust assessment of viability?**

Overall, the policies must strike a balance between ambition and practicality, ensuring market feasibility while supporting the transition to sustainable development within Bristol. It is crucial that these policies remain viable for developers to encourage widespread adoption and investment in net-zero initiatives. Greater inclusion of the UKGBC targets would provide a structured and realistic pathway, offering clear, phased objectives that cater to different building types and sectors. This approach would facilitate a smoother transition, reduce financial burdens, and enhance compliance, ultimately driving the city towards a more sustainable and resilient built environment. More specific comments are provided against each policy below.

## POLICY NZC1 - CLIMATE CHANGE, SUSTAINABLE DESIGN AND CONSTRUCTION

**Q14.3: Is Policy NZC1 justified, consistent with national policy and effective? In particular:**

**a) Is the requirement for all development proposals to submit Sustainability Statements justified?**

The requirement is in line with the national focus on sustainable development and climate objectives. The National Planning Policy Framework (NPPF) advocates for the early incorporation of sustainability measures in planning processes. This approach promotes improved environmental outcomes by integrating sustainability considerations at all stages of development and ensures that policy is effectively implemented.

**b) Is the requirement for all residential or mixed-use developments of 200 dwellings or more to meet BREEAM Communities Excellent ratings justified and consistent with national policy?**

This is in line with net zero commitments.

**c) Is the reference to other sustainable design standards clear and unambiguous?**

This is relatively clear; however, it should be considered a reasonable expectation where feasible, rather than an absolute requirement. If one opts to pursue alternative sustainable design standards, is there

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still an expectation to achieve 100% carbon reduction in line with building regulations? Policy should reference the UK Net Zero Carbon standard as a means of attaining sustainable design.

**d) Is requiring the optional technical standards for water efficiency standards justified by a clear local need, as set out in the PPG18?**

No comment.

**General comments on whether the policy is justified, consistent with national policy and effective**

The policy aligns with the national emphasis on sustainable development and climate objectives, and is aligned with the NPPF support for the early integration of sustainability measures in planning.

In addition, the requirement for a BREEAM Excellent rating aligns with national net-zero commitments, and the optional Water Efficiency standards align with PPG guidelines.

Moreover, the NPPF supports the use of recognised building standards. However, it is noted that the UKGBC Net Zero Building Standard is not listed within the policy or its supporting text. For the reasons provided elsewhere in this document, it is considered that this is required and wording should be added to recognise that such a standard is acceptable.

### **POLICY NZC2: NET ZERO CARBON DEVELOPMENT – OPERATIONAL CARBON**

**Q14.4: Is Policy NZC2 justified, consistent with national policy and effective? In particular:**

**a) Is the policy clearly written and unambiguous, such that it would be evident to an applicant what would be required and a decision maker how they should react to development proposals?**

Reference to UK Net Zero carbon standard targets would be beneficial as it provides guidance on various different building types.

**b) Is it justified, or effective, to expect proposals for all development to submit an energy strategy, including any 'modelling' referred to in paragraph 12.1.20?**

Mandating an energy strategy ensures comprehensive planning for net zero goals and requiring submission of operational energy models for transparency and accountability. The policy aligns with best practices in sustainable development by integrating energy efficiency into the design phase.

**c) Are the suggested main modifications set out in EXA002.1 to Policy NCZ2 necessary to make the policy sound? Would any additional modifications be necessary to ensure consistency with the WMS?**

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Carbon reduction is in accordance with the reporting framework of Approved Document L, thereby ensuring consistency with building regulations and standardised building performance assessments. However, as sustainability practices continue to evolve, the integration of references to energy intensity and usage becomes increasingly pertinent. Aligning with the UK Net Zero Carbon Buildings approach, this enhancement would contribute to a more thorough evaluation of energy performance within the policy.

### **d) Is the approach to Energy or Carbon offsetting justified and effective? Is it necessary, or effective, for the policy to include 'current' charges?**

The approach is not considered to be justified or effective. The achievement of 100% carbon reduction should be based on energy use intensity and not the Part L building regulations, as this is a particularly onerous target otherwise. The wording of the policy should be updated to show an option showing compliance through achieving Net Zero under UKGBC Net Zero Building Standards.

It is considered that there is not sufficient clarity with respect to further how 'technically feasible' is defined, where carbon can be offset through financial contributions. The policy wording or supporting text should be updated to clarify what this means.

Moreover, it is not clear whether this financial contribution applies to developments connecting to the local district heat network. The wording should be amended to clarify this.

Lastly, the financial contribution is significantly higher than other Local Plans. This includes the contribution required by the London Plan. There is therefore a risk that this will add significant costs to projects and prevent development from coming forward. This is particularly relevant noting that the Viability Study that forms part of the Council's evidence base (EVEV01) states that energy offsetting has not been specifically tested. This cannot be considered robust. Mindful of the arduous requirements of the policy, combined with the required financial contribution, it is absolutely essential that the viability testing that forms the justification behind the policy is robust.

### **e) Is it justified and consistent with national policy to allow compliance with PassivHaus Classic or higher standards?**

No objection to use of this option. Indeed, the use of various measures is supported.

### **f) Under the 'delivering modelled performance' section, is it clear what would be expected with any development, or how it would be controlled?**

This could be articulated more clearly, particularly in relation to the UK Net Zero Carbon Building standard, which establishes targets for various building types and is subject to ongoing review and monitoring to remain aligned with industry developments. This section currently lacks specificity and would benefit from guidance on the expected methods for achieving and monitoring these targets.

**General comments on whether the policy is justified, consistent with national policy and effective.**

With respect to the application of the policy to existing buildings, it is not considered sufficiently clear what evidence will be taken to show that it is not feasible for the full residential and non-residential targets to be met. Unite emphasise that there is also a viability issue associated with the application of this policy to existing buildings.

**POLICY NZC3: EMBODIED CARBON, MATERIALS AND THE CIRCULAR ECONOMY**

**Q14.5: Is Policy NZC3 justified, consistent with national policy and effective? In particular:**

**a) Is the policy clearly written and unambiguous, such that it would be evident to an applicant what would be required and a decision maker how they should react to development proposals, particularly in relation to refrigerants, materials and the circular economy?**

The embodied carbon targets are limited to residential developments only and therefore this is understood not to apply to student accommodation. It is argued that it would be clearer and more sensible to use the UKGBC targets for the appropriate building type.

There needs to be clarification as to which edition of RICS is required as there are contingency and uncertainty factors in the second edition which may increase risk of not meeting targets. Wording to clarify this should be added into the policy wording or supporting text.

**b) Are the standards and thresholds set out for major applications justified, achievable and consistent with national policy? Where proposed targets cannot be met, would it be justified to require financial contributions to the Council's carbon offset fund? Is it necessary, of effective, for the policy to include the 'current' scale of any financial contribution?**

The £373/tonne offset is significant, and this could have a financial impact on projects. As noted earlier in this Statement, it is crucial that the viability testing that has been undertaken is robust. Unite query whether there will be a reporting spreadsheet provided to support whole life carbon, and further, how will this be proposed to be monitored (as is the case with, for example, the London Plan). Some clarity on how this is proposed to be monitored should be added to the policy wording or supporting text.

Unite would also suggest that immediate adoption of such arduous standards could be overwhelming, and a phased approach may be more effective at ensuring the standards are met. It is considered that the introduction of such arduous requirements could stifle development from coming forward across the city.

## **POLICY NZC4: ADAPTATION TO A CHANGING CLIMATE**

**Q14.6: Is Policy NCZ4 justified, consistent with national policy and effective? In particular:**

**a) Is the policy clearly written and unambiguous, such that it would be evident to an applicant what would be required and a decision maker how they should react to development proposals, particularly in terms of what would constitute acceptable or unacceptable forms of development?**

The document is well-articulated and effectively delineates the anticipated requirements. However, it would be advantageous to provide further guidance on the implementation of these specific strategies. For instance, residential developments are required to comply with Approved Document O, while non-residential schemes may refer to CIBSE TM52 or BREEAM HEA04 Thermal Comfort. Incorporating the cooling hierarchy is also regarded as best practice to minimise unnecessary carbon emissions. Furthermore, achieving all targets outlined in the adaptation strategy may present challenges for existing buildings or new developments with constraints; therefore, it is recommended that the wording clarifies that these targets should be pursued where feasible.

**b) Further to the above, does the policy unnecessarily repeat other policies relating to energy efficiency, design, living conditions and such things as provision of blue and green infrastructure? c) Is it justified to expect an 'adaptation strategy' for all proposals? In addition, is it justified or effective to expect all adaptation strategies to include technical modelling and assessment of the risk of overheating in current and future climate change scenarios?**

As previously mentioned, it may not be essential for all proposals to incorporate an adaptation strategy, and imposing this requirement universally could limit development potential. However, it is anticipated that technical modelling for both current and future overheating will be necessary for residential developments, as this is in accordance with the requirements of Approved Document O. Office and retail developments may not be subject to the same criteria; therefore, it is imperative to provide clarification regarding the necessity of overheating assessments, particularly in relation to residential or long-term accommodation.

## **POLICY NZC5: RENEWABLE ENERGY AND ENERGY EFFICIENCY**

**Q14.7: Is Policy NCZ5 justified, consistent with national policy and effective? In particular:**

**a) Is the identification of Avonmouth Industrial and Bristol Port area for renewable energy capacity and storage justified? Have all potential impacts of potential renewable energy development in this area been fully and robustly assessed? (see also questions relating to policy E4).**

No comment.

**b) Are the matters listed in the second paragraph of the policy meant to be exhaustive? Is there any specific reason for setting out the normal 'planning balance' exercise in this policy when not identified in all others? Further to this, would the benefits of measures set out in the fourth paragraph of the policy be balanced against any other factors?**

No comment.

## **ISSUE 14.2: WHETHER POLICIES RELATING TO FLOOD RISK AND FLOOD MITIGATION ARE JUSTIFIED, CONSISTENT WITH NATIONAL POLICY AND EFFECTIVE**

### **POLICY FR1: FLOOD RISK AND WATER MANAGEMENT**

**Q14.8: Is policy FR1 justified, consistent with national policy and effective? In particular, is the approach to the sequential approach and exception test set out in the first paragraph consistent with paragraphs 161 – 164?**

No comment.

**Q14.9: Are the suggested main modifications to paragraph 12.2.6 set out in EXA002.1 necessary to make the Plan sound?**

No comment.

### **POLICY FR2: BRISTOL AVON FLOOD STRATEGY**

**Q14.10: Is policy FR2 justified, consistent with national policy and effective? In particular:**

**a) How is the Bristol Avon Flood Strategy expected to be considered in terms of Policy FR1 and the sequential test? For example, how would development in areas where mitigation is expected but not yet delivered be treated?**

No comment.

**b) Are the requirements relating to mitigation and/or the facilitation of future flood defences justified and consistent with national policy, including those relating to planning obligations?**

Unite accept the principle that the BAFS project cannot be delivered without private sector contributions. As such, Unite accept that new development that stands to benefit from reduced flood risk from the future delivery of the strategy will be expected to facilitate the delivery of the flood defences, including financial contributions where appropriate.

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However, Unite highlight that the means by which this financial contribution will be calculated is not contained within the policy. In this context, it is relevant to note that planning applications are already being asked for contributions to the strategy, with no clarity regarding how these should be calculated. Adopting the current policy as drafted would do nothing to provide clarity on this situation.

Moreover, in the absence of any defined method to calculate relevant financial contributions, the policy simply cannot be considered to have been robustly tested. There is a serious risk that adopting such a policy would significantly prejudice the delivery of other policies in the plan, namely the delivery of significant quantum of development in the City Centre (DS policies), as a result of viability.

Indeed, one of the methods that is currently being informally utilised at the development management level involves calculating the required contribution by way of equating this to how much it would otherwise cost to ensure safe access and egress. This is different for every site, and could result in large variations in land values across the regeneration areas and wider city, having further implications on viability.

Unite's position is as follows:

1. The principle of contributing towards the flood defences is accepted;
2. The method of calculating the required financial contribution must be contained within the policy;
3. There must be opportunity to comment on how this contribution is to be calculated.

Without the above, the draft policy is entirely unjustified and has the potential to significantly hinder the effective delivery of development across the Plan period.

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

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

Yours faithfully,



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