



Examination of the Bristol Local Plan 2022-2040

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Examination webpage: [Local plan examination \(bristol.gov.uk\)](https://www.bristol.gov.uk/local-plan-examination)

IN7: Action Points following hearing sessions: Weeks 1 and 2

Introduction

Further to the discussions in the first two weeks of hearing sessions, the following actions are required by the Council. We consider these to be necessary at this stage of the examination to inform our consideration of whether the Plan is sound or legally compliant. It is likely that we will identify additional actions relating to the matters discussed during these sessions in due course. The following sets out what was agreed during the sessions and/or our initial thoughts on some of the matters discussed.

We may also decide that other or different main modifications are required, including to the parts of the Plan that we refer to below. Reasons for any modifications that we ultimately decide are necessary will be set out in our final report. Where we have asked for a main modification to be drafted, this should be added to the proposed main modification schedule in due course.

Unless specified, the Council should respond to the following actions by the end of the current hearing programme. We are content to receive responses prior to this date if and when the information is available, including drafts of any potential main modifications.

Duty to Cooperate

Notwithstanding the subsequent reference to the Planning Practice Guidance¹ (PPG), the Council agreed to provide at least additional evidence relating to the frequency and scope of informal officer level meetings that have taken place during the preparation of the Plan (and in particular, the period following the halting of the Spatial Development Strategy). The Council indicated that it would be possible to provide a schedule outlining the timing of any meetings that have taken place and at least the standard agenda that is used. We consider this would be helpful in evidencing the discussions held with the Local Authorities which were referred to

¹ 011 Reference ID: 61-011-20190315

during the hearing and in the Maintaining Effective Cooperation Topic Paper. This information should be provided by **31 March 2025**.

In relation to the issue of liaison on strategic transport matters, the Council also agreed to provide information setting out the frequency of meetings that have taken place with National Highways. The response to this should also confirm whether North Somerset Council were involved in the scoping or commissioning of any transport modelling. We would be grateful if the Council could provide us with an estimate of the timescale for completing this statement. It would be preferable for us to have this as soon as possible, certainly before the end of the current examination programme, particularly if further work may be necessary to address any areas of dispute.

Clearly, if the Council has any further information relating to meetings, or other engagement, that has taken place on *any* strategic matters not referred to in the Topic Paper, Statements of Common Ground or other evidence, then we would be content to receive it at this stage as it will aid our understanding of compliance with the Duty.

Given the Council's comments on the PPG referred to above, if the Council is unable, or unwilling, to provide the above information then this should be explained in any response, and we will consider what the consequences of this would be for the remainder of the examination and our conclusions.

Sustainability Appraisal and Habitats Regulation Assessment

We cannot come to a conclusion on the soundness or legal compliance of these documents until we have discussed other policies, including those relating to health, well-being and biodiversity, and allocations. We shall therefore return to these matters at a later date.

Monitoring framework

The Council should prepare a revised main modification for our consideration relating to monitoring which:

- Accurately reflects the content of paragraph 236 of the December 2024 National Planning Policy Framework, with regard to beginning work on a new plan.
- Outline the scope of the monitoring that would take place and outline the specific strategic policies that will be monitored to assess annual progress towards the achievement of the plan's targets.
- Details the key indicators (for example, housing, including affordable housing; employment; and offices), which may stimulate the need for a full or partial review of the plan.

Housing Requirement

The Council should provide updated trajectory information which at least identifies the completion data for the first year of the Plan period (2022-2023). If it is possible to update the information further to take account of any more recent monitoring information, then that would also be helpful.

If, in light of the revised trajectory, the Council considers there should be any modifications to the housing requirement, then it should make this clear in the response and draft a main modification to Policy H1 for our consideration.

A schedule identifying all proposed allocations that have planning permission should also be provided with any response. It would be helpful if this schedule could also identify the number of dwellings that have planning permission within each of the Areas of Growth and Regeneration as well.

The revised housing trajectory should be provided by **21 March 2025**.

Employment requirement

To assist in our on-going consideration of this issue, could the Council set out the extent to which the existing employment land 'pipeline', including extant permissions, is within the Areas of Growth and Regeneration or allocations within the Plan (if this is already in the evidence base, then please provide a reference).

Where available, the Council should also provide any updated monitoring information it has, including details on completions during the Plan period.

Gypsies, Travellers, Travelling Showpeople and Houseboat Dwellers

The Council should:

- Provide details setting out the current position relating to Travelling Showpeople – including the understanding of current needs.
- Draft a main modification to Policy H10 for our consideration which (i) sets out the identified need within introduction to the policy and (ii) add a new criterion relating to how flood risk will be considered.
- Provide in table format a breakdown of need, in five-year intervals from 2020 up to 2036 along with potential sources of supply.

The Council should:

- Add the 'Bristol Harbour Place Shaping Strategy: Waterspace Plan' to the examination library.

In relation to proposed Policy H11 for Houseboat Dwellers:

- Consider how the 'mooring areas' could be identified within the Plan and/or Policies Map and draft suggested modifications for our consideration as appropriate.
- Draft modifications for our consideration which:
 - In relation to the second bullet point, (i) define what a reasonable walking distance would be (within the explanation to the policy) and provide a rationale for the definition. (ii) Provide proposed wording in the explanation as to whether the phrase 'post boxes' refer to mail collection points or delivery points; (iii) Consider whether 'elsan' is the most appropriate phrase, as this may point to the need for provision of different facilities for waste disposal, and propose a change if considered appropriate.
 - In relation to the third bullet point, (i) propose additional wording in the explanation to the policy as to how a decision maker should interpret issues relating to "amenity". (ii) Provide us with an explanation of how 'no adverse

impact' will be assessed and propose a change to the policy or explanation wording if considered appropriate.

- Remove reference to “complying with the Harbour Operational Moorings and Facilities policy” from the policy as it was explained to us this is not a planning requirement. The explanation can retain the existing proposed wording in relation to the Harbour Authority
- Add a suggested criterion relating to flood risk and flood risk mitigation.

Site Selection Methodology

Paragraph 165 of the National Planning Policy Framework is clear that both elements of the flooding exception test, where relevant, should be satisfied for development to be allocated. On this basis, the Council should prepare additional evidence which demonstrates compliance with the exception test on those allocations where it is relevant. This work should be carried out with an open mind and if any allocation is no longer considered justified because of this exercise, then the Council should make that clear in any response. Moreover, given what paragraph 165 says, we consider that *all* allocations in the Plan should be considered in light of the sequential and exception tests, including those carried forward from previous plans. This should be provided by **4 April 2025**.

The Statement of Common Ground with National Highways referred to above should consider any issues relating to Policy DS5, logistics development and the impact on the M32. Once this statement has been received, we shall consider whether any further actions are necessary.

Green Belt

In addition to those identified in the Council's hearing statement, the Council should also draft a modification to the first paragraph of Policy DS10 for our consideration. This should refer more broadly to proposals in the Green Belt being assessed against the requirements of national policy, rather than focus only on protection from inappropriate development. As agreed, Appendix B to the Green Belt Assessment should also be added to the examination library.

Areas of Growth and Regeneration

In addition to those already put to us, the Council should draft potential main modifications to policies DS1 – DS9 and DS13-DS14 for our consideration, which:

- Make reference to the areas defined on the Policies Map;
- Clarify the role of regeneration frameworks or masterplans, or other non-statutory documents, particularly in circumstances where such documents either do not exist or may be considered out-of-date. In addition, reference to development being “in accordance” with a detailed framework should be deleted and replaced with a reference to development “having regard” to such documents to achieve consistency with Policy DPM1.
- Remove or modify references to “expected to demonstrate” that opportunities have been sought to progress more comprehensive or co-ordinated forms of development with other sites, to instead focus on ensuring development does not prejudice the comprehensive and co-ordinated regeneration of an area.

Again, we note that Policy DPM1 contains wording that may be suitable in this regard.

- Include the minimum scale of residential development expected within each area. Where the strategy is to promote growth in employment, or other non-residential floorspace (rather than simply reflect what already exists), then the policy should also provide an indication of what is expected.
- Include density expectations within the policy, particularly where there may be some more detailed guidance for specific areas (for example, if potential for higher densities in certain parts of an area have been identified).
- Ensure it is clear what the vision for each area is, and what land uses would be promoted and accepted; removing any inconsistencies or ambiguity about what is expected.
- Where known, ensure that the policies include reference to specific infrastructure or mitigation schemes that development would be expected to deliver or contribute to.
- Ensure a consistent approach in terms of criteria relating to such matters as retail and leisure and flooding (where relevant);
- Provide clarity in the explanation to what is expected in relation to phrases such as 'inclusive' development and how the Council would expect to deliver units for independent retail (where relevant);
- Where uses in sub-areas are identified, the policies should be clear whether the uses other than those referred to would be resisted or not (for example, under Policy DS3, it is seemingly *not* intended for residential development to be resisted within North west St Philip's Marsh, but this would not be clear from the policy text or explanation). Any ambiguity about this across the 'DS' policies should be removed.
- In relation to heritage assets modify the policies such that development affecting heritage assets will be assessed in accordance with Policy CHE1 (or similar wording that achieves the same effect).
- The Council should also consider opportunities to rationalise these policies in other ways, such as removing repetition, that would help reduce or remove any scope for ambiguity.

In relation to DS1, the Council have been asked to produce a Statement of Common Ground with the University of Bristol in relation to the University of Bristol sites in the 5th bullet of the policy and SPD11, including consideration of whether this leads to any suggested modifications.

It is possible that we shall need to revisit some of these actions, or add to them, after we have had discussions on other policies relating to design, heritage, urban living, housing and employment. There are also other outstanding matters where still need to come to a view. Nevertheless, drafting the modifications above and undertaking the additional work will assist in our consideration of these issues.

Next steps

Should you have any queries about any of the above, please contact us through the Programme Officer. We are not inviting, nor will we accept, any comments from interested parties on the above actions at this time.

Yours sincerely

Louise Gibbons Steven Lee Benjamin Clarke

17 March 2025
