

Bristol City Council's response to Inspectors' Document IN8

This note explains the council's actions to date in response to the Inspectors' Document IN8 – Action Note 2.

Council's introduction

The Inspectors' action points are shown below in ***bold italics*** with a border. The council's responses are shown in normal typeface below the Inspector's action points.

Responses to Inspectors' action points

General actions

The Council should draft modifications for our consideration which ensure that policies only "have regard" to documents, such as supplementary planning documents. The Council should also consider whether it is necessary for the policy to refer to such documents at all and whether any such references should be in the explanatory text only.

Council's response

Draft modifications included been added throughout to address these matters.

Matter 5 – Green Belt (Issue 5.3)

Policy DS11

For Elsbert Drive, the Council should prepare a Statement of Common Ground with relevant landowners, site promoters and the neighbouring local authority. This should focus on matters of access and delivery.

Council's response

A statement of common ground is in preparation.

The Council also undertook to check whether Elsbert Drive is affected by the North Somerset and Mendip Bats SAC and report back to us and/or suggest main modifications accordingly.

Council's response

The Habitats Regulations Assessment (PAL005) includes information on the relationship of the site with the North Somerset and Mendip Bats SAC – section 9. The HRA noted that the land is not within the SAC but the land may be functionally linked. The assessment concluded that adverse effects on integrity from any loss of functionally link land to bat species of the SAC can be ruled out, given the requirement of Policy BG2. Policy BG2 sets out the approach to internationally designated habitat sites and would be applicable to any development at Elsbert Drive.

A modification to the explanation has been prepared clarifying this and is shown in the draft schedule of suggested main modifications.

In addition, draft potential modifications for our consideration which:
• provide clarity in the policy about the scale and type of development being sought in each allocation;

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• provide clarity about how masterplan(s) will be prepared and controlled;

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• for Ashton Vale, provide detail and clarity about any relevant development considerations including, but not limited to, flooding and drainage, biodiversity, transport and means of access, affordable housing and contamination. The Council should also consider whether the requirement of a masterplan would also be relevant to this site in the event the current planning permission is not implemented;

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• for Elsbert Drive, provide detail and clarity about any additional relevant development considerations including, but not limited to, transport and access, affordable housing and self-build. This should include matters which the Council consider important in guiding the required masterplan. The Council should also consider setting out what would be acceptable if the corresponding site in North Somerset is not forthcoming; and

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• provide clarity about the boundaries on the aerial photographs on page 51. For example, do these identify the extent of each allocation, or the area to be removed from Green Belt, or both.

Council's response

The aerial photographs show the area to be removed from the Green Belt, rather than the extent of each allocation. The extent of the allocation and the extent of the Green Belt is shown on the draft Policies Map.

Although not shown in the draft schedule of suggested main modifications, the Council's intention is not to include the aerial imagery in the plan if adopted. This includes the aerial photograph before Policy DS12. This does not feature in the schedule of main modifications as it was considered that it could cause confusion if the photos were shown to be deleted. Removal of these illustrative images is not considered material to the plan.

Policy DS12

Draft modifications to Policy DS12 for our consideration which:

- provide clarity in the policy about the scale of development expected and what non-residential uses would be considered acceptable as part of any mix;***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- provide clarity about the scope of any masterplan(s) and how it will be expected to be prepared and controlled;***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- remove specific affordable housing requirement and refer to Policy AH1 only; and***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- provide clarity about the role of the park and ride site, including how development will be assessed if it does not form part of an application, how such applications would be expected to address the park and ride site in terms of any masterplan and whether it would have any bearing on scale, layout or access.***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Matter 6 – Infrastructure, developer contributions, social value and community facilities

Policy IDC1

Draft suggested modifications for Policy IDC1 for our consideration which:

- clarify that the policy does not seek to remedy existing infrastructure deficiencies; and***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• provide information in the explanation on how the Council assess 'geographically or functionally' as set out in the first bullet of the policy.

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Policy SV1

The Council should give consideration as to whether the suggested trigger points for the submission of a Social Value Strategy is proportionate.

Council's response

It is suggested that the trigger point could be increased from major development to development proposals for 50 or more dwellings and / or 5,000m² of other floorspace. This proposed modification is shown in the draft schedule of suggested main modifications.

Also shown in the schedule are further proposed modifications which it is suggested could improve the policy's effectiveness. These are as follows:

1. The policy expects the submission of a social value *strategy*. It is proposed that a social value *statement* could instead be required.

Providing a statement is considered to be more proportionate as it would provide developers with increased flexibility to, for example, submit a concise commentary explaining the anticipated social value benefits arising from the proposal.

Such a statement could be included in the Planning Statement submitted by the applicant as supporting material to their application. This would have the potential to minimise the time required to produce the necessary information in a succinct form.

2. The policy currently requires a social value strategy to identify how the development 'will support social inclusion and deliver social value *throughout its lifecycle*'. It is considered that it may be more proportionate if '*throughout its lifecycle*' is removed from the policy text.

This change may provide more scope for applicants to prepare concise statements which focus on the tangible social inclusion and value benefits offered by the proposal at the construction stage of the scheme through, for example, the training and employment of local people and the sourcing of products and materials locally.

3. The policy text currently states that the social value strategy will demonstrate 'how the development will maximise its positive contribution, *as relevant*, to' the range of social benefit / value topics listed.

It is proposed that '*as relevant*' in the policy text could be replaced with text which more clearly emphasises that the contribution to social value should be proportionate to the nature of the scheme proposed.

It is considered that this could make the policy more effective as it may provide additional flexibility to applicants preparing statements by acknowledging that there may be circumstances where development proposals can only deliver limited social value benefits.

In addition, the Council should draft suggested modifications for our consideration, detailing:

- how such a strategy would be secured and, if necessary, enforced; and***
- how the monitoring of such a Strategy would take place.***

Council's response

In relation to securing a social value strategy, the policy text states that such a strategy is expected to accompany major development proposals. The text goes on to state that a planning condition will be included on all relevant planning permissions to ensure the implementation of any agreed strategy.

To provide more detail on the process of securing a social value strategy (or 'statement', as referred to above), a proposed modification has been added to the schedule of suggested modifications. This makes clear that a statement should be submitted alongside the planning application and that it could be included as part of the application's Planning Statement, or as a separate document.

With regard to enforcement and monitoring, this would be carried out through the process of discharging the condition referred to in the policy text. To provide more detail on this process a proposed modification has been added to the schedule of suggested modifications.

The modification explains that the condition would expect the applicant to provide update reports at specified intervals during the construction period outlining the progress made in delivering the social value benefits outlined in the statement, including any of its targets. The condition would also require an Addendum to the statement to be submitted to the council prior to occupation or first use of the completed scheme. This would set how the commitments have been implemented during the construction stage in accordance with the agreed statement and would also report on the achievement of any of its targets.

It is considered that this process would enable the council to adequately enforce and monitor the implementation of the social value statement.

To further illustrate how the modified policy could be implemented via the discharge of condition process, anticipated wording for such a condition is set out below:

Draft wording for condition relating to social value statements

- The development shall be carried out in accordance with the submitted social value statement [doc. title, ref. no. and date] (SVS), or any subsequent updated SVS which has been approved in writing by the Local Planning Authority. Update reports outlining the progress made in implementing the statement and the achievement of any targets therein shall be submitted to the local planning authority at the following stages:
 - No later than 6 months following commencement of development; and
 - Annually during the construction period;

- b) No part of the development shall be occupied or brought in to use until a SVS Addendum has been submitted to and approved in writing by the Local Planning Authority which evidences how the construction stage commitments have been implemented in accordance with the approved SVS and reports on the achievement of any targets therein.

Reason: In the interests of delivering social value in accordance with Bristol Local Plan Policy SV1.

Policies CF1 and CF2

The Council should consider whether modifications are necessary to how 'community facilities' are defined in policies CF1 and CF2.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Modifications have also been made that ensure decision makers reference the relevant specific policies when specific community facilities are proposed, such as pubs or recreational facilities.

Policy CF1

The Council should prepare suggested modifications for our consideration which:

- addresses whether locations other than a centre may be an accessible location for residents;***

Council's response

Modifications shown in the draft schedule of suggested main modifications.

- explains how the 10% figure of floorspace is to be calculated;***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- considers whether the trigger point for the provision of such facilities is proportionate;***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- explains how affordable rent will be calculated, and secured; and***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- explains whether community facilities can be merged, from separate developments, to create a larger (and potentially more flexible) facility.***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Policy CF2

Modifications should be drafted for our consideration which explain:

- how appropriate replacement facilities might be assessed;**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- how a suitable location will be identified; and,**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- how these matters will be secured.**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Matter 7 – Other Housing Policies

Policy AH1

In addition to those already put forward, draft further potential modifications to policy AH1 for our consideration which:

- reflects Diagram 6.1 and the table under paragraph 6.21, and which sets out how the policy is intended to be implemented on a geographical basis;**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- remove reference to the 'threshold approach' to the City Centre;**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- remove reference in explanatory text to development in the City Centre being delivered in an 18-month period;**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- clarify when viability assessments would be required and removes suggestion that applicants would need to identify the maximum level of**

affordable housing that could be delivered where the minimum required will be met (first bullet point on page 70);

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• makes it clear that, where a viability assessment confirms the minimum requirement required by the policy is not viable, but the Council still considers development to be acceptable, providing the shortfall through other mechanisms is not necessarily determinative;

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• makes it clear that developers will not be required to agree to work with the Council to deliver more than the required affordable housing requirement, where the minimum has already been met (fourth bullet point on page 70);

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• remove reference to the Affordable Housing Practice Note from the policy; and

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• make further modifications to those already suggested to remove suggestion of a 'rolling review' of affordable housing percentages.

Council's response

This modification is shown in the draft schedule of suggested main modifications.

We would be content for the Council to set out any further comments it may have on the operation and intent of the policy and the implications of suggested modifications for our further consideration.

Council's response

Noted. No further comments.

Policy BTR1

Draft further potential main modifications to those already suggested for our consideration which:

• remove or amend reference to development being 'in accordance with' further supplementary planning documents, masterplans or spatial frameworks; and

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• remove reference to the Affordable Housing Practice Note and any reference to a 'rolling review'.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy H4

Draft further potential main modifications for our consideration which amend the fourth bullet point to make it clear that the aim is not to cause harm through development, as opposed to addressing existing issues.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy H5

Draft further potential main modifications to those already suggested for our consideration which:

• identifies a mechanism by which the requirement for self-build could/would be set aside in certain circumstances;

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• provide clarity as to which, if any, of the areas of growth and regeneration are likely to be suitable for self-build. The Council are also asked to consider how the requirement to deliver self-build in these areas would be achieved. Consideration should be given as to how this might be addressed either in the policy and/or explanatory text; and

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• clarifies how the Council will assess the requirement for local community support, with regard to development affecting Reserved Open Green Space.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy H6

Draft further potential main modifications to those already suggested for our consideration which:

• provides further detail in the explanation as to how criteria i. (a, b and c) would be assessed; and

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• provides detail in the explanation which reflect how the policy is applied in practice.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Give consideration as to whether there are any instances where paragraph 6.63 may be applied more flexibly (for example where the houses are detached properties with a degree of physical separation), and either provide reasons why not or draft any potential modifications to the explanation accordingly.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Give consideration as to how proposals for co-living proposals would be considered against the policy and either provide succinct reasons for it not being covered or draft any potential modifications to the policy/explanation accordingly.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy H7

The Council were asked to produce a Statement of Common Ground with the University of Bristol in relation to the University of Bristol sites in relation to policy DS1.

• This should now include an agreed position on policy H7/paragraphs 6.78-6.79 relating to the part of the policy which deals with purpose-built student accommodation provision at University of Bristol residential sites.

Council's response

The agreed position is shown in the draft schedule of suggested main modifications.

It should include whether the limit on the total number of bed spaces at the Clifton and Stoke Bishop campuses is justified or whether there are alternative approaches which would be appropriate, specifically in respect of these sites. The Statement should suggest main modifications accordingly and set out any remaining areas of disagreement on this element of the policy and explanation.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

The Council should confirm whether any of the areas of growth and regeneration have already met their bedspace totals through planning permissions and/or completions, and in other areas, whether there has been any additional provision since the date of the Topic Paper.

Council's response

See note: Bristol City Council Examination note – Policy H7 PBSA information.

Draft further potential main modifications to those already suggested for our consideration which:

• provide further detail in the explanation as to how the first bullet in the first paragraph would be assessed.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Give further consideration as to whether the third and fourth bullets under the general provisions are consistent with each other and necessary, and draft further potential main modifications as required.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

We would be content for the Council to set out any further comments it may have on the operation and intent of the policy and the implications of suggested modifications for our further consideration.

Council's response

Noted. No further comments.

Policies H8 and H9

Draft further potential main modifications to those already suggested for our consideration which ensures the policy on Building Regulations M4(3) reflects the suggested modification to the explanatory text, with particular regard to wheelchair adaptable homes being the primary requirement, and wheelchair accessible homes being only where the occupant is nominated by the Council.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Matter 8 – Economy and Inclusive Growth

Policy E2

Draft main modifications for our consideration which:
• rationalise the policy and remove any unnecessary duplication.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• set out what the relevant use classes are within the policy.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy E3

Draft main modifications for our consideration which ensures clarity and consistency of definitions in the third and fourth bullet points. This is in terms of the correct terminology for 'regeneration areas' and setting out what is meant by other areas suitable for office development.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy E4

Draft additional main modifications for our consideration which:

- provide clarity about the nature and scale of development envisaged at the four allocations.**

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

- other than flood mitigation, consider whether there are other development considerations which could be important in preparing and determining planning applications. This could include, but not be limited to, matters relating to biodiversity. These should be relevant to all forms of development that may come forward.**

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

- clarify what is expected in terms of renewable energy, including whether it should complement and not prejudice the employment generating role of the area.**

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

- ensure policies and guidance relating to renewable energy is consistent with current national policy.**

Council's response

A proposed modification is shown in the draft schedule of suggested main modifications to ensure consistency with current national policy.

- Modify the policy and/or diagram 7.1 to make it clear which allocation is which.**

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

The Council undertook to provide a note on whether there was scope for Hallen Marsh to provide for additional biodiversity mitigation to accommodate the proposed allocations. Following this, the Council may wish to consider

whether any further modifications are necessary to ensure satisfactory mitigation can be provided.

Council's response

A note has been provided.

Policy E5

Draft additional main modifications for our consideration which:

• clarify and rationalise the policy such that the relationship between the bullet points and criteria i. and ii. are clear.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• provide examples in the explanatory text of the types of sui generis use that would fall within the scope of the policy.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• in relation to ancillary uses, ensure the policy is clear that such uses would also be acceptable in Maritime Industry Areas.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy E6A

Draft main modifications for our consideration which:

• provides clarity about what is meant by new 'workspace' in the context of this policy.

Council's response

The meaning of workspace for the purposes of the policy is indicated in the second paragraph of the policy text with explanatory text at 7.39. The type of workspace to be provided would depend on the circumstances of the site and as referred to in paragraph 7.40.

• sets out a mechanism by which applicants can justify not delivering "workspace". This could, for example, have regard to the overall scale of development and whether workspace would be deliverable, the likely

attractiveness of the area or site for workspace floorspace, or the contribution the current site might be making to the employment land supply or economy.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• sets out relevant thresholds within the policy. In this regard, the Council also undertook to consider whether the threshold set out in paragraph 7.42 is likely to be reasonable or deliverable.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• clarifies whether or not allocations in Policy DA1 and Areas of Growth and Regeneration would fall within the scope of the policy. The policy should also be clear about what is meant by "other locations to which specific provisions apply".

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy E6

In the first instance, the Council undertook to consider various issues relating to this policy including whether a requirement for affordable workspace, or mechanism for calculating what would be required, could be derived. We shall consider what further actions, or modifications, may be necessary once the Council has provided a response.

Council's response

Modifications have been suggested to address these points. They are shown in the draft schedule of suggested main modifications.

Policy E8

Draft main modifications for our consideration which removes or modifies the reference to encouraging competition and consumer choice.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Matter 9 – Centres, shopping and the evening economy

Policy SSE1

Draft main modifications for Policy SSE1 for our consideration which:
• **add a reference to the fact that the hierarchy is shown on the Policies Map;**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• **provide clarification in the explanation on what is meant by 'intensity' in the fourth paragraph of the policy; and**

Council's response

Intensity is included within the explanation. These modifications are shown in the draft schedule of suggested main modifications.

• **provide clarification in the explanation on what is meant by 'underused' in the section of the policy that relates to Residential Uses.**

Council's response

A definition of 'underused' is provided in the explanation. These modifications are shown in the draft schedule of suggested main modifications.

Policy SSE2

The Council should give consideration as to whether the policy text or explanation should provide information on Article 4 directions and propose any draft main modifications accordingly.

Council's response

These modifications are shown in the draft schedule of suggested main modifications, expressed more generally in relation to any future change or restriction to permitted development rights.

Policy SSE3

Draft main modifications for Policy SSE3 for our consideration which:
• **incorporate the wording or similar from paragraph 34-36 of the Council's statement on Matter 9 (BCC09) into the explanation, which will indicate how 'neighbourly' in the third paragraph of the policy will be assessed; and**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• **incorporate the wording or similar from paragraph 37-38 of the Council's statement on Matter 9 (BCC09) into the explanation, which will indicate how**

the loss of cultural venues and night-time economy uses in the fifth paragraph of the policy will be assessed.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy SSE4

Draft main modifications for Policy SSE4 for our consideration which provides detail in the explanation of the use of relevant Article 4 directions within the City.

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Policy SSE5

The Council should consider whether the requirement for proposals to not prejudice future developments is precisely worded. In addition, consideration should be given to whether temporary car parks would be unacceptable in all instances. The Council is requested to prepare a modification and submit this for our consideration.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy SSE6

The Council should consider if the criteria provide sufficient certainty for future developers and decision-makers and, if not, a modification should be prepared and submitted for our consideration.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy SSE8

The Council should consider whether the phrases 'adequate' and 'diverse' are necessary to enable a future decision-maker to be able to assess a proposal particularly as the policy specifies maximum distances between public houses and draft a modification for our consideration.

Council's response

The phrases are considered necessary to ensure an appropriate standard of continued provision. Modifications have been prepared to provide further explanation

of what the terms mean. These modifications are shown in the draft schedule of suggested main modifications.

Matter 10 – Biodiversity and Green Infrastructure

Policy BG1

The Council to consider whether:

- examples of how policies might be implemented (first two bullet points) would be more appropriately set out in explanatory text.***

Council's response

In the first two bullets the policy as drafted combines general provisions with examples in a way which, by using the phrase 'such as', does not set out an exclusive list.

On 9 June 2025 a new paragraph (017) was added to the national planning practice guidance on Natural Environment¹. This makes specific reference to the sorts of measures mentioned in the policy text, with a particular focus on swift bricks, as well as referring to general measures.

In light of this it is not considered that a modification would be necessary for soundness.

- reference to Green Infrastructure Statements should be removed from policy and referred to in the explanatory text, as a means of demonstrating compliance with the policy.***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- the section on Green Infrastructure Standards is sufficiently clear about what is required and what is voluntary.***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Policy BG2

Draft additional modifications for our consideration which:

- ensure the policy is clear and consistent with national policy with regard to the mitigation hierarchy, in particular, but not limited to, the expectation that harm should be avoided in the first instance.***

Council's response

This modification is shown in the draft schedule of suggested main modifications.

¹ [Natural environment - GOV.UK](https://www.gov.uk/guidance/natural-environment)

• ensure that policy relating to irreplaceable habitats is fully consistent with paragraph 180c of the NPPF. The Council may wish to consider whether an approach similar to that adopted to International and National designated sites, insofar as they refer to national planning policy, would be appropriate.

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• consider whether the approach set out under 'Local Designated Sites' is consistent with what is set out in the final paragraph of page 126, with particular regard to whether it is possible to consider mitigation for any 'significantly harmful' impact.

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Policy BG3

The Council undertook to prepare a suggested modification for our consideration that would focus on any matters relating to biodiversity net gain that would sit outside the scope or requirements of the Environment Act 2021. This will assist in our consideration of this matter.

Council's response

An alternative version of policy BG3 addressing this action is shown in the draft schedule of suggested main modifications (green highlighting).

Policy BG4

Draft additional potential modifications for our consideration which:
• as per Policy BG2, ensure that policy relating to ancient woodland or veteran trees is consistent with paragraph 180c of the NPPF. The Council may wish to consider whether a cross-reference to Policy BG2 would suffice in this regard;

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• consider whether the penultimate paragraph is necessary. For example, is the relationship between this policy and any BNG requirements something that could be set out in explanatory text or made clearer; and

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• consider additional explanatory text explaining how the issue set out in paragraph 9.1.38 will be assessed, including broadly how far back consideration would go and what types of information may be considered.

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Policy BG6

Draft potential modifications for our consideration which:

• ensure clarity regarding the extent to which the effect on living conditions would be a relevant determinative factor. This should also include consideration of whether the requirement for retention of adequate garden space is only relevant to extensions to an existing single dwelling, and not other forms of residential development;

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• include additional explanatory text explaining what the Council would have regard to in determining whether there would be an adequate area of functional garden space; and

Council's response

This modification is shown in the draft schedule of suggested main modifications.

• consider whether it is realistic, or justified, for development to not result in any harm to the character and appearance of an area.

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Policy GIA

The Council should draft modifications which either amend the policy such that relevant standards are something to “have regard” to, or suggest modifications that would bring the standards into the Plan. The modifications should also elevate the considerations set out in paragraph 9.2.7 into policy.

Council's response

The policy has been modified to set out that the relevant standards are something decision makers should “have regard to”. These modifications are shown in the draft schedule of suggested main modifications.

Policy GI2

Draft additional modifications for our consideration which:

- consider whether criteria i and ii can, or should, be rationalised;**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

- ensure the policy accurately reflects paragraphs 99b and 99c of the NPPF;**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

- ensure any cross-reference to Policy GIA is accurate (with particular regard to whether "measurable" is the correct term);**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

- consider whether it is reasonable to expect there to be no harmful impact on the space as a whole and whether the policy, or explanatory text, are sufficiently clear as to how this will be assessed; and**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

- consider whether further modifications are necessary to paragraph 9.2.16 to remove any scope for misinterpretation.**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy GI3

Draft potential modifications for our consideration which ensure consistency with national policy and the tests set out in paragraph 99 of the NPPF. In this regard, the Council may consider whether there is any distinction in policy terms between Reserved Open Green Spaces and Incidental Open Space and whether two policies are necessary.

Council's response

Policy G13 has been merged with G12. These modifications are shown in the draft schedule of suggested main modifications.

Matter 11 – Transport

Policy T2

The Council should draft potential modifications, which:
• detail how, and who, will be implementing these improvements and at what stage of the development process; and

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• outline the necessity of references to the JLPT4, particularly as the document is to be updated.

Council's response

Modifications are shown in the draft schedule of suggested main modifications.

Policy T2A

Draft a modification for our consideration which confirms whether the limitation on development is intended to be for the plan period, or beyond.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

Policy T4A

The Council should draft modifications in respect of Policy T4A, which:
• clarify the meaning of phrases, such as 'appropriate servicing and loading facilities'; and

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

• clarify that the purpose of the section of the policy pertaining to electric vehicle charging points is intended to apply to the development of new car parks only.

Council's response

This proposed modification is shown in the draft schedule of suggested main modifications.

The Council should also consider whether any of the guidance within the Transport SPD should be incorporated into the policy, or whether development should have regard to the SPD and propose a draft main modification accordingly.

Council's response

Clarity has been provided on the relationship of guidance set out in the forthcoming Transport SPD and Policy T4A. A proposed modification is shown in the draft schedule of suggested main modifications to explain that development proposals should have regard to the SPD.

Policy T5

The Council should consider whether the second paragraph of the policy is necessary and draft a modification accordingly.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy T6

Consider if references to LTN 1/20 (or subsequent guidance) are appropriate and draft a proposed modification accordingly.

Council's response

These proposed modifications are shown in the draft schedule of suggested main modifications.

Matter 12 – Urban Living

Policy UL1

In respect of Policy UL1, the Council should draft modifications for our consideration that:

- consider whether the terminology utilised in the policy is clearly defined; and***

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• clarifies whether the policy is designed to be applicable to all the areas identified in Policies DS1-DS14.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy UL2

The Council should draft modifications for our consideration which:
• address the inter-relationships between the text in Policy UL2, the table at the foot of the policy, and Diagram 5.1 and explain how they should be considered in the Development Management process;

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• provide clarity regarding the matters that should be assessed under 'market signals; and

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• address the references to densities that should be provided in the areas of growth and regeneration.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Matter 13 – Built Environment

Policy DPM1

Draft a main modification for the introduction to Policy DPM1 at paragraph 13.1.6 for our consideration which sets out that the policy is intended to provide positive guidance for applicants or similar wording.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy DC2

See below for the Statement of Common Ground with Historic England. The Council should consider whether any of the guidance within the Urban Living SPD (EXA020) that includes policy requirements for Tall Buildings should be incorporated into Policy DC2 and propose draft main modifications accordingly.

Council's response

The council has prepared and agreed a statement of common ground with Historic England.

In addition, draft main modifications for Policy DC2 for our consideration which:

- provide the policy references for the relevant DS areas in the first paragraph of the policy;***

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• include the definition of tall buildings (as set out in paragraph 13.1.26) into the policy wording and consequential amendments to the explanation; and

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• the first sentence in paragraph 13.1.29 should be included within the policy text in an appropriate location and to ensure that the word 'Townscape' is added to the Visual Impact Assessments.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy CHE1

Prepare and submit a Statement of Common Ground with Historic England which:

- i) sets out where main modifications to the policies and explanation may be needed for Policy DC2 and Policy CHE1 to ensure that they are consistent with national policy in respect of Chapter 16 of the NPPF (Conserving and Enhancing the Historic Environment);***
- ii) provide any draft wording for those main modifications. Any draft wording should be checked for consistency with the DS policies and consequential main modifications proposed to those if necessary;***
- iii) sets out any areas of remaining disagreement.***

Council's response

The council has prepared and agreed a statement of common ground with Historic England.

Policy DC3

Draft potential modifications in respect of Policy DC3, for our consideration which:

- explain the meaning of the reference in Paragraph 13.1.30 to the need for a development to 'safeguard the amenity of existing development';***

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

- explain how the need to reinstate traditional or distinctive architecture features and fabric is intended to work in practice, such how the features and fabric will be identified.***

Council's response

These modifications are shown in the draft schedule of suggested main modifications. The modifications proposed clarify that this requirement of the policy is intended to apply only to designated heritage assets.

- outline the meaning of 'sufficient usable' external space; and***

Council's response

These modifications are shown in the draft schedule of suggested main modifications. The modifications clarify what is meant by 'sufficient usable external space'.

- as advertisement applications are assessed under different legislation to a planning application, consider, whether it is necessary to refer to signage in Paragraph 13.1.39.***

Council's response

These modifications are shown in the draft schedule of suggested main modifications. The modifications have been prepared to contextualise the reference to signage.

Policy DC4

The Council should draft modifications that outline how the appropriate scale of facilities will be provided for developments of varying scales and state that proposals should have regard to the Waste and Recycling Storage and Collection Facilities Guidance, rather than necessitate adherence to it

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy AD1

Consider whether the consideration of 'visual commercialisation' is necessary and draft a modification accordingly.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Matter 14 – Net Zero and Climate Change

Policy NZC1

Draft potential modifications for our consideration which:

- set out the circumstances where Sustainability Statements will not be required (where such statements are referred to in other policies, consideration should be given as to how the exceptions will be made clear).**
- consider removing or amending references to other standards, including PassivHaus, if not intended to be an alternative to meeting other standards referred to.**

Otherwise, we would ask the Council to consider whether there is scope to rationalise this policy by removing any elements which are covered by other policies and/or whether certain elements could be set out in other relevant policies to avoid or remove unnecessary duplication.

Council's response

As part of responding to the inspectors' document IN10, the council is preparing other modifications to both NZC1 and the other policies in this chapter. The council will provide the proposed modifications for these policies when responding to document IN10.

Policy FR1

Draft additional potential modifications for our consideration which:

- ensure the policy is consistent with national policy regarding the sequential and exception tests, including where they will be required.**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

- provide clarity about when Sustainable Drainage Systems (SuDS) will, or will not, be required. This should reflect national policy and guidance. Moreover, reference to Sustainability Statements should be removed in relation to SuDS.**

Council's response

This modification is shown in the draft schedule of suggested main modifications.

Matter 15 – Health and Wellbeing

Policy HW1

Policy HW1 refers to the Water Framework Directive; the Severn Basin Management Plan; and 'Good Ecological' status. Can the Council consider whether these terms are sufficiently explained and provide modified wording for our consideration.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy HW2

Draft modifications to Policy HW2 for our consideration, which:
• **explain the meaning of the phrases 'significant' and 'appropriate standard' so that their meaning to provide certainty for future decision-makers and developers;**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• **ensure issues relating to biodiversity, including protected habitats such as the Avon Gorge Special Area of Conservation (SAC) are adequately addressed, having regard to the findings of the Habitat Regulations Assessment.**

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy HW1A

Prepare a modification, which addresses the need to consider any noise generated from the construction process as part of the assessment of a planning application.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy HW2B

Prepare a modification that explains the need, in the Reasoned Justification, for the submission of Health Impact Assessment for the stated development types.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy HW3

The Council is requested to provide a modification that makes it clear that the policy is intended to apply to takeaways in all locations.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Matter 16 – Utilities and Minerals

Policy UM1

Consider whether this policy is consistent with the NPPF and propose a modification for our consideration accordingly.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

Policy UM2

Draft potential modifications for our consideration, which:
• clarify if the reference at Paragraph 15.5 to areas where issues arising from historic coal mining activity have been experienced are the only ones that may experience such issues, or whether there is a wider scope; and

Council's response

These modifications are shown in the draft schedule of suggested main modifications.

• provide clarity regarding the meaning of the phrases 'reason to suspect' and 'materially affect'.

Council's response

These modifications are shown in the draft schedule of suggested main modifications.