

Appendix 1

B&NES Council Comments on the Bristol Local Plan Review: Draft Policies and Development Allocations - Further Consultation November 2022

1. Introduction

- 1.1 Set out below are B&NES Council's comments on the Bristol Local Plan Review: Draft Policies and Development Allocations – Further Consultation document (November 2022). It should be noted that these comments are provisional at this stage and are subject to consideration and endorsement by Cllr Tim Ball, Cabinet Member for Planning and Licencing via a Single Member Decision to be taken in February 2023.
- 1.2 It is noted that this consultation is being undertaken under Reg 18 and there remains the opportunity to continue to work with Bristol City Council, under the Duty to Co-operate, in preparing the Draft Bristol Local Plan (publication version) which is currently programmed for consultation in summer 2023.
- 1.3 Following preparation of a Local Plan Partial Update B&NES Council has recently formally launched preparation of its new full Local Plan through publishing a Launch Document in November 2022. Currently it is anticipated that our options document will be published for consultation under Reg 18 in autumn this year, moving towards a Draft Local Plan in summer 2024. As such preparation of the Bristol Local Plan is running significantly in advance of preparation of the B&NES Local Plan. We will continue to work with Bristol City Council (Bristol CC), under the Duty to Co-operate, in order to understand and address the implications of this and to best address the cross boundary strategic matters and associated engagement with communities and stakeholders.
- 1.4 The comments set out below focus only on strategic cross boundary matters and the implications for B&NES. We welcome the opportunity to continue engaging on these matters moving forward. It is important that progress on and outcomes of such engagement, via the Duty to Co-operate, is set out in a joint Statement of Common Ground (SoCG) that is updated at each key plan-making preparation stage.

2. Housing requirement and delivery

- 2.1 It is noted that Bristol CC is proposing a Local Plan period up to 2040 in order to ensure that it covers a plan period of at least 15 years from adoption (currently anticipated in autumn 2024). Both housing need and housing delivery target are expressed as annual figures. With regards to housing need the standard method figure based on 2014 projections plus a 35% uplift applied by government to twenty urban authorities results in an annual need of 3,376. Bristol CC's concerns regarding the formulaic approach to deriving this figure are noted and the work undertaken by Opinion Research Services (ORS) in deriving an evidence based and more accurate assessment of housing need for the city. This alternative approach yields a figure of 2,600 per annum.
- 2.2 As requested in Bristol's Local Plan Duty to Co-operate letter of November 2022 B&NES is of the view that, given that the standard method figure applies an unevidenced 35% uplift to projected need, the ORS approach and their recommended

figure for Bristol is a more robust, evidence-based figure of local housing need. ORS have, in line with national policy, applied adjustments for market signals (i.e. affordability) and a deficit in supply from the Core Strategy period. As such the ORS methodology ensures a positive approach is taken in assessing and identifying local housing need in line with government policy. The implications of using this approach to define local housing need in Bristol CC for the neighbouring authorities requires further assessment in light of the standard method-based housing need figure for the neighbouring authorities not being subject to 35% uplift. It is important that the UAs continue working together on the assessments of housing need. The process and outcomes of this joint working should be reported through the Local Housing Need Assessment (LHNA) reports and the joint SoCG referenced above.

- 2.3 As referenced above the Bristol Local Plan Further Consultation document sets out housing delivery (i.e. a housing minimum target) expressed as an annual figure. Under draft Policy H1 a minimum housing target of 1,925 dwellings per annum is proposed. This housing target is less than local housing need, established either via the standard method plus 35% uplift or the ORS assessment. Comparison of the Local Plan housing target and assessed need is summarised in the table below. Against the ORS assessed requirement a shortfall of 12,150 over the Local Plan period or 13,500 over 20 years is noted.

	Annual	Over the plan period (2022-2040)	Equivalent 20 year figure
Standard method + 35% uplift	3,376	60,768	67,520
ORS evidence led	2,600	46,800	52,000
Minimum LP housing requirement	1,925	34,650	38,500
Unmet need against standard method	1,425	26,118	29,020
Unmet need (against ORS requirement)	675	12,150	13,500

- 2.4 It is noted that in the November 2022 Local Plan Duty to Co-operate letter Bristol CC currently anticipate formally writing to this Council between now and the anticipated publication of the Bristol Local Plan requesting that we consider making a contribution to meeting any unmet residual housing need arising within the City. B&NES Council will consider the scope for any contribution to meeting such residual unmet need through the preparation of our Local Plan, engaging with Bristol CC and our communities and other key stakeholders.
- 2.5 With regard to the relationship between the local housing need figure and the minimum Local Plan housing target it is considered that the Bristol Local Plan Further Consultation document (November 2022) is a little unclear on. Para 4.8 explains that *‘Although most of the assessed need for new homes can be met within Bristol, the evidence indicates additional homes will need to be delivered elsewhere to ensure that the city’s need for new homes does not go unmet. Bristol City Council is working with the neighbouring councils of North Somerset, South Gloucestershire and Bath & North East Somerset to consider whether and to what extent those needs could be met in*

those areas. A statement will be issued which sets out any agreement on these matters. However, the Vision (paragraph 3.4) states that *'The delivery of new and affordable homes through urban living will enable housing needs to be met and help to secure the development of rapid transit systems which deliver sustainable, connected communities'* This emerging Vision does not reflect the potential requirement for development to meet the City's need for new homes to be met outside the City boundary. It is considered this should be clarified in the publication version of the Draft Local Plan.

- 2.6 The Bristol Local Plan proposed minimum housing target of 1,925 per annum is based on an assessment of capacity within Bristol as explained in Appendix 1 to the consultation document. It is noted that a significant proportion of the assumed capacity is delivered in 10 Areas of Growth and Regeneration within the City, including and requiring mixed use redevelopment of current industrial land at St Phillip's Marsh (see section 3 comments below on meeting employment needs). In light of the potential request from Bristol to B&NES to assist in contributing to Bristol's unmet housing need, B&NES requests that, in preparing the publication version of the Draft Local Plan, more detailed evidence needs to be presented outlining more clearly the basis for the urban capacity figure proposed, articulating the assumptions made relating to the various sources of supply, as well information on deliverability and viability. In short an updated housing delivery trajectory should be presented, with associated viability evidence at the Draft Plan (Reg 19) stage.
- 2.7 In making the above request two areas of concern are being raised by B&NES Council, namely:
- a) that Bristol CC is appropriately maximising its urban capacity to meet housing need and is robustly demonstrating this; and
 - b) that the assumed capacity within Bristol is clearly demonstrated to be deliverable and viable. This is an area likely to be significantly challenged by stakeholders and is critical in both progressing the Bristol Local Plan, but also the Local Plans of neighbouring authorities given the implications of unmet residual need
- 2.8 As such B&NES Council is seeking re-assurance with regards to these two issues and that the necessary evidence work will be undertaken and discussed with this Council in preparing the Bristol Draft Local Plan (publication version).
- 2.9 B&NES also request that the Bristol Local Plan acknowledges that the ability for B&NES to assist with meeting Bristol's unmet will be assessed through the preparation of the B&NES Local Plan and the extent as to if and how far B&NES can assist Bristol in this regard is yet to be ascertained.

3. Economy and Meeting Bristol City's Employment Needs

- 3.1 The March 2019 Local Plan consultation document contained draft policies which set out the strategy for inclusive economic development and the approach to land for future workspace needs. Those policies will be revised to take account of responses and new evidence. They will be included in the publication version of the Draft Local Plan (publication version). The revised policies in the Draft Plan are proposed to include targets for provision of different types of workspace and will be complemented by policies for the Areas of Growth and Regeneration (AGR) identified in the

development strategy. This November 2022 document assumes that a significant number of new homes (around 16,000) will come forward across the 10 identified AGRs. Around 8,000 of these homes will be delivered at Bristol Temple Quarter and parts of St Phillip's Marsh, which is currently identified as a Primary Industrial and Work Area (PIWA), but it is not being retained as an Industry and Distribution area under the proposed revised draft policy E4.

- 3.2 Whilst the Local Plan document proposes that overall jobs numbers will increase by around 3,500 it is noted there would be direct loss of currently safeguarded employment land to residential/ office/ flexible workspace, with the existing industrial/ distribution land that is retained being in closer proximity to these. In addition to losses in industrial land in the St. Phillip's Marsh area noted above it appears that other areas of industrial and employment land are not being retained. This raises questions about the displacement of industrial and other employment uses from these areas and whether adequate provision has been made within the City for such displaced uses, in addition to meeting newly arising demand during the plan period.
- 3.3 B&NES is therefore, of the view that further assessment and consideration is needed of the approach to the strategy for meeting the employment needs of the city, including the retention of existing industrial/employment land. This is especially relevant given the strategic importance of Bristol's economy and the potential implications for neighbouring authorities, including B&NES, if sufficient land is not retained or provided in the city for meeting these needs. B&NES would welcome ongoing dialogue with the City Council on the approach to the economy and employment land/space being established in the Draft Local Plan (publication version) given this is a cross boundary strategic issue.

Draft Policy SSE1: Supporting Bristol's centres – network and hierarchy

- 3.4 Local Centres and Parades are identified on the Bristol Local Plan Policies Map and the policy seeks to maintain and enhance active ground floor uses and therefore, the viability of these centres. This approach is welcomed and as the B&NES Local Plan progresses on-going dialogue between the two authorities will be necessary in respect of the relationship with and implications for local centre provision associated with any development proposed on land with B&NES close to Bristol

4. Potential Green Belt Release and areas of development

- 4.1 The Bristol Local Plan Further Consultation document (November 2022) references proposed development at locations close to or adjoining the boundary with B&NES. As noted below the impact of such development on infrastructure and communities within B&NES is an area on which further work is needed, as well the relationship with potential development areas within B&NES which are to be considered through the preparation of the B&NES Local Plan. Specifically, the Bristol Local Plan document considers development on land within the Bristol CC administrative area at Bath Road, Brislington.

Land at Bath Road, Brislington

- 4.2 The Bristol Local Plan consultation document proposes to allocate land in Bristol at Bath Road, Brislington for the development of around 500 dwellings. This allocation excludes land currently occupied by the Brislington Park & Ride (P&R) site. The Bristol Local Plan references the potential for the P&R to be relocated onto land within

B&NES and if this were to take place an additional 250 dwellings could be delivered. The explanatory text also references the potential scope for further development in this area and states: *'In order to meet the need for development across the wider region it is possible that proposals for urban extensions in the Green Belt beyond Bristol City Council's boundary may emerge through the local plans of neighbouring authorities. If appropriate proposals come forward on land adjacent to the proposed location at Bath Road, Brislington or at other locations adjoining the city, the council will work with neighbouring councils to consider the impacts, to assess infrastructure requirements and to ensure integrated and well-planned communities are created to the benefit of existing and future residents.'*

- 4.3 With regard to the proposed allocation of land at Bath Road for 500 dwellings B&NES Council is not aware of any published transport assessments to consider the impact of the proposed development on the highway network both within the city and within B&NES. Given that the A4 corridor is key route within both authorities this is a strategic cross boundary issue that needs to be addressed and the assessment work undertaken in moving towards the publication version of the Draft Local Plan. B&NES Council would welcome the opportunity to be engaged in this transport work.
- 4.4 Bristol CC will also be aware that through preparation of the B&NES Local Plan the potential for development in this location on Green Belt land within B&NES will need to be considered i.e. it is likely to be a 'reasonable alternative' for testing given its relative sustainability. As such both authorities will need to work together in order to assess this potential and, if proposed to be taken forward in the B&NES Local Plan, to ensure integrated, well-planned places (across the administrative boundary) with the necessary supporting infrastructure are created to the benefit of existing and future residents and to meet zero carbon objectives. In order to facilitate effective joint working to achieve positive planning in this area a clearer commitment from Bristol CC through its Local Plan would be necessary at the Draft Plan (publication) stage. Furthermore, the Bristol Local Plan should also make it clear that development proposals on land within Bristol CC administrative area must not prejudice the delivery and benefits of wider, comprehensive development. Also relevant is relocation of the Brislington P&R (see below).
- 4.5 Bristol CC will be aware that the relocation of the Brislington P&R further out of the city on to land within B&NES close to the Hicks Gate roundabout is a commitment within adopted Joint Local Transport Plan 4. It is listed as an early investment scheme. The relocation of the P&R would enable a comprehensive transport interchange to be progressed. Further assessment of the likely significant transport benefits of this arrangement is needed. B&NES Council would welcome Bristol CC's support in pursuing this as part of the work on the Bristol to Bath Strategic Transport Corridor project and through the WECA managed CRSTS funding.
- 4.6 In addition, B&NES Council is currently of the view that if comprehensive, cross boundary development is to be progressed through the Local Plan and a well-planned, sustainable place delivered this would also require relocation of the P&R. Therefore, in this context and the JLTP4 commitment B&NES Council consider that further clarity is needed in respect of the Brislington P&R site and whether Bristol CC is proposing to formally request that it is relocated to land within B&NES in order to help facilitate a more optimal development (also increasing housing capacity) on this edge of the city. This needs to be clarified particularly because the land in B&NES lies within the Green

Belt and 'exceptional circumstances' would need to be demonstrated in order to enable development of a new P&R and transport interchange facility which would otherwise be inappropriate development in the Green Belt.

- 4.7 Consideration of the above issues, including the precise location and form of the transport interchange and any proposed development in B&NES, as well as the associated exceptional circumstances for Green Belt release and new Green Belt boundary would be undertaken through the B&NES Local Plan. B&NES Council will continue to work closely with Bristol CC on our respective Local Plans in this regard and would welcome further dialogue on taking this work forward.

Other areas of development in or close to the Green Belt

- 4.8 The Bristol Local Plan consultation document also references two areas of land in the Green Belt within the Bristol CC administrative area close to the development area proposed at Yanley Lane in the North Somerset Local Plan. Development at Yanley Lane in North Somerset would have a relationship with north-western areas in B&NES and therefore, this Council requested that North Somerset continue to engage with B&NES in assessing transport and infrastructure impacts and requirements of this development. In respect of Green Belt land in this locality within Bristol it is noted the Local Plan Further Consultation document sets out that land at Yew Tree Farm (east of Bristol) will not be removed from the Green Belt, but that land adjacent to Elsbert Drive, Bishopworth has potential for a development of around 350 homes. Given the relationship with north-western B&NES and villages/communities, including Chew Magna, B&NES Council requests continuing dialogue with Bristol CC regarding the assessment of transport and other infrastructure impacts and proposed mitigation measures of any development site allocations proposed in the Bristol Draft Local Plan (publication version).

5. Renewable Energy

- 5.1 The Bristol Local Plan Further Consultation document (November 2022) sets out several draft policies focussing on net zero development and climate change. Given B&NES climate emergency this Council is broadly supportive of the emerging policy approaches in the Bristol Local Plan. Two policies would appear to address strategic cross boundary matters or provide opportunities for joint working.

Draft Policy NZC2: Net zero carbon development – operational carbon

- 5.2 This policy notes where requirements for energy use cannot be met by on-site measures alone, any remaining energy use will be met by offsetting measures such as, a financial contribution towards Bristol CC approved renewable energy, low-carbon energy and energy efficiency schemes elsewhere in the Bristol area; or agreeing an acceptable directly linked or near-site provision. In respect of this policy should such development sites requiring off-setting arrangements be located close to the B&NES boundary it is unclear as to whether a request to accommodate such offsetting measures would impact on or be met on land within B&NES. This is especially relevant considering the clause of agreeing acceptable directly linked or near-site provision and may relate to potential development sites identified in the Bristol Local Plan such as land at Bath Road, Brislington. Further clarity and dialogue with Bristol CC is requested in relation to this policy issue.

- 5.3 The policy also covers the creation of new heat networks which should be considered in the case of proposals that would provide more than 100 homes or 10,000m² floorspace. Such an approach is likely to have impacts on and present an opportunity for joint working with B&NES on large scale development close to the shared administrative boundary. It is noted that land at Bath Road, Brislington is identified as having the potential to provide 500 to 750 new homes. Should this development come forward within the Bristol CC area it is unclear whether the accommodation of and connections to heat networks would be expected and/or necessary on land within B&NES. If, through the B&NES Local Plan, development in this location on land within B&NES is proposed, continued joint working between the two authorities will be necessary to consider the potential for and how a heat network could best be delivered.

Draft Policy NZC5: Renewable energy development

- 5.4 This policy focuses on encouraging new renewable energy development for large-scale freestanding installations. It states that the development of new renewable energy capacity and energy storage will be encouraged across the city, particularly in the Avonmouth Industrial and Bristol Port area. The Policies Map does not appear to allocate/ identify land close to the shared B&NES boundary for this form of development. As such this policy does not appear to have direct implications for B&NES. However, B&NES would welcome continual dialogue on this matter should the approach change and given the sub-regional importance of renewable energy provision within the context of each authority's climate emergency declaration.

6. Biodiversity/Nature Recovery

- 6.1 The policy document also details measures regarding biodiversity and nature recovery. It seeks to guide most new development to brownfield land where impacts on nature are manageable and can be mitigated. The following policy would appear to present cross boundary matters or opportunities for joint working.

Draft Policy BG3: Achieving Biodiversity Gains

- 6.2 If it is demonstrated that biodiversity net gain (BNG) cannot be achieved within the site, alternative measures to deliver biodiversity gain through compensation will be appropriate. These may include off-site habitat compensation as close as possible to the proposed developed, which include designing offset habitats outside the development's boundary, emerging register of biodiversity gain sites or habitat banks. Implications for and opportunity for joint working arise in respect of large-scale development close to the shared administrative boundary and the potential use of land within B&NES to help meet BNG requirements. Within the context of the WECA-wide Local Nature Recovery Strategy it will be important to maintain dialogue and joint working in respect of the policy approach to and delivery of such off-site BNG provision.
- 6.3 Dialogue will also need to continue relating to mechanisms for off-site delivery e.g. where securing through formal agreement, such as through conservation covenant or S106 agreement, and whether in relevant locations within Bristol CC, B&NES should be a party in such agreements.

7. Local Food Production

Draft Policy FS1: The provision of allotments

- 7.1 This draft policy sets out the requirement for new large-scale developments (60 dwellings or more) to provide allotment space (statutory allotment plot of 250m²) for residents and the wider protection and retention of these sites as valuable community and green infrastructure assets. It also seeks to ensure that all existing allotments, including those not owned or operated by the council, receive the recognition they deserve and are secured from future development.
- 7.2 Further the policy notes where it is not practicable to make provision on site, off-site provision or a financial contribution to support the improvement or rehabilitation of other allotment sites will be acceptable. The proposed policy approach is broadly welcomed by B&NES Council. It is noted that in respect of land at Bath Road, Brislington allotments will be retained in this location consistent with the approach set out within the March 2019 – Draft Policies and Development Allocations Local Plan document. The relationship of allotments retention in their current location and the planning of development and delivery of an optimal configuration/high quality place in this area, including the potential for cross-boundary comprehensive development, should be taken into account. On-going engagement with B&NES Council as our respective Local Plans progress would be welcomed.

Draft Policy FS3: The protection of existing food growing enterprises

- 7.3 This draft policy sets out the importance of protecting existing food growing enterprises within the city from the effects that development may have on their ongoing viability. Draft Policy FS3 protects sites of existing food growing enterprises, both commercial and community oriented from development which may have an impact on it such that it becomes no longer viable. The implications of this policy approach in respect of farms within the Green Belt close to the B&NES administrative area and the associated implications for potential development are noted. In the process of preparing the B&NES Local Plan further dialogue with Bristol CC on this issue may be necessary.

8. Transport

- 8.1 The policy document does not cover transport policies. However, it does note draft policies T1 to T5 (covered under the March 2019 – Draft Policies and Development Allocations) will be revised to take responses into account. A revised approach to development and transport will be included in the publication version of the Draft Local Plan. B&NES would request and welcome continual dialogue on the transport policies given they will have strategic cross boundary implications and integral to the spatial strategy/approach.

9. Flood Risk

- 9.1 Draft Policy BG5 requires: 'Maximise opportunities to conserve and enhance the sustainable urban drainage functions of waterway and banks; and deliver additional flood resilience measures as appropriate.' New development within Bristol along or

close to the River Avon may have a flood risk impact upstream within the B&NES area. B&NES is aware of the river modelling and mitigation works being considered through the Bristol Avon Flood project which is currently in preparation. Given the strategic cross boundary implications of flood risk the hydraulic modelling work is being extended to cover upstream within B&NES and covering the River Avon up to the western edge of Bath. This work will enable Strategic Flood Risk Assessments to be undertaken related to the consideration of potential development locations through the B&NES Local Plan. It is essential that continual dialogue between the two authorities on flood risk matters takes place.

9.2 In summary the main issues of concern that need to be addressed through this dialogue and co-operation are:

- agreement of the importance of managing flood risk as a strategic issue
- mitigating flood risk is key in delivering urban capacity/housing within Bristol (linked to the above overarching comments around housing deliverability)
- approach to flood mitigation in Bristol has implications for and links to flood risk in B&NES along the River Avon corridor
- the need to continue working closely together on assessing/modelling flood risk and the appropriate mitigation and management strategies
- site selections must be subject to a sequential approach in respect of flood risk and where necessary, exceptions test

10. Sustainability Appraisal

10.1 The Bristol Local Plan Further Consultation document, November 2022 notes a draft Sustainability Appraisal (SA) scoping report has been prepared and appraisal reports will be produced at each future stage of plan preparation. The draft scoping report published on the website was prepared in February 2018 and uploaded alongside the 2019 local plan consultation document. It does not appear that an updated SA document has been published.

10.2 The 2018 draft scoping report notes that the SA will cover all land and water within the Bristol CC boundary and the possible direct and indirect effects that arise from adjoining Local Authorities. The SA Scoping Report sets out the process that will be undertaken. B&NES are listed as a neighbouring local authority for consultation. B&NES would welcome the opportunity to review the appraisals of policy options proposed and for further discussion to take place as necessary.