**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 1: Legal, Procedural and Other General Matters**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Bristol Local Plan – Draft Matters, Issues and Questions (MIQs)**

**Matter 1: Legal, Procedural and Other General Matters**

***Issue 1.1: Whether the Council complied with the Duty to Cooperate (DtC) in preparing the Plan Section 33A of the Planning and Compulsory Purchase Act 2004 (the Act) sets out a duty to cooperate during the preparation of the Plan in relation to strategic matters***

***Housing need and requirement***

**Q1.1: Has the Council’s engagement with other local authorities on housing need, the housing requirement and the capacity of Bristol to accommodate housing (as set out in EXA036a), been carried out constructively, actively and on an on-going basis?**

No. As set out in our Regulation 19 response (paras 12-26), HBF have significant concerns about the approach the Council has taken with regards the housing needs of Bristol, which in our view constitute a failure of the Duty to Cooperate.

The NPPF requires a plan to be positively prepared, setting a positive vision for the future of the area; a framework for meeting housing needs and addressing other economic, social and environmental priorities. As such HBF would expect the Plan to be an ambitious plan for the future development of Bristol, detailing where new housing will go, meeting housing needs, providing certainty for the house building industry and setting out a long-term vision for the area, in accordance with the NPPF.

Although HBF are sympathetic to the constraints facing Bristol City (see para 22 of our Reg 19 response) and the challenges faced in seeking to meet its housing needs in full within the City’s boundary, this simply does not justify ignoring the 35% urban uplift required by the standard method. If the full housing needs of Bristol City cannot be met within the Bristol City area the process for addressing this is through the Duty to Cooperate and the declaration of an unmet need, and for neighbouring authorities to help to meet that growth.

Instead of engaging in this proactive cross boundary in partnership with neighbouring authorities, we have a Plan that appears to be ignoring the need for growth, failing to plan positively for the future needs of Bristol and failing to properly declare an unmet housing need of Bristol City. The result is a failure to deliver the housing numbers that need to be planned for both within Bristol and across the wider Bristol City region.

In adopting a ‘constraints-based approach’ the Council is seeking to justify a ‘policy-on’ approach to the evidence base and then using this to justify the policy they were seeking in the first place. This is not the evidence-based policy making expected by the planning system but policy-based evidence-making that fails to address the development needs of Bristol and the wider City Region. HBF is very disappointed that in the midst of a housing affordability crisis in the City and the wider Housing Crisis facing the country, the Council is seeking to develop a long-term plan for its area that fails to grasp the challenges facing Bristol Council and its wider context.

**Q1.2: Was there any discussion or engagement on the issue of unmet housing need prior to January 2023? Was this the first point at which the evidence determined there would be an issue in relation to this Plan?**

This is unclear from the current information, which in itself is a problem.

**Q1.3: Between 31 January 2023 and the formal letter of 31 October 2023, what engagement took place between the local authorities on this issue? In addition, what engagement took place between October 2023 and submission of the Plan?**

This is unclear from the current information, which in itself is a problem.

**Q1.4: Did the Council raise the issue of unmet housing need with any local authorities other than North Somerset, Bath & North East Somerset and South Gloucestershire? If not, why?**

This is unclear from the current information, which in itself is a problem.

**Q1.5: With regard to the Planning Practice Guidance (PPG4), has the Council reasonably done all it can to deal with its unmet housing need but has not been able to secure the cooperation of other authorities?**

No. As detailed more fully in our Regulation 19 response (see for example, para 23 and 25), HBF have long standing and significant concerns about the failure of Bristol and its neighbouring authorities to work together on this matter. We remain unclear if, how, and when the Council has raised the issue of unmet need with its neighbouring authorities. We are also very concerned that the level of unmet need under discussion has always been incorrect and too low as there is a need for urban uplift to be included within the figures. However, instead of planning for this figure collaboratively as they are required to do by national planning legislation, policy and guidance the urban uplift figure has simply been removed from the calculations and discounted, despite there being no reasonable policy planning evidence and/or justification for doing so.

**Q1.6: What is the current situation with regard to how Bristol’s unmet need would be addressed? With regard to paragraph 35c of the National Planning Policy Framework (NPPF), have cross-boundary strategic matters relating to this issue been dealt with rather than deferred?**

HBF do not know, which it itself is a problem. We are, however, of the view that the current information demonstrates that the full level of Bristol’s housing needs will remain unmet, and no actions are being undertaken that would adequately address this issue in anything like a timely manner. We would highlight again the example of effective cross-boundary working being undertaken in Leicester and Leicestershire (see para 17 of our Regulation 19 response), noting that the Leicester City EIP hearing sessions concluded in Nov 2024. We would wish to draw attention to Leicester City’s significant evidence base supporting how the Duty to Cooperate has been met over the whole plan preparation period and how the issue of unmet need has been quantified and is now informing other Leicestershire LPAs emerging Local Plans. (see <https://www.leicester.gov.uk/content/leicester-local-plan-examination/what-is-a-local-plan-examination/>) Such evidence is missing from Bristol Plan.

***Other strategic matters***

**Q1.7: What other strategic matters have been identified, as defined by section 33A(4) of the Act, including any site allocations that may have strategic cross-boundary implications? This includes those which relate to engagement with prescribed bodies.**

Although HBF do not comment on individual sites, HBF remain unclear if and how this issue has been addressed.

**Q1.8: In seeking to address these matters, has the engagement with other local authorities and prescribed bodies, as set out in the ‘Managing effective cooperation’ Topic Paper, met the requirements of the Duty?**

No.

**Q1.9: With particular regard to prescribed bodies, where Appendix 1 to document EXA036a identifies consultation only having taken place at various stages of plan-making, is this sufficient to demonstrate that the duty has been met?**

No.

**Q1.10: Is the process of cooperation demonstrated with clear evidence, including Statements of Common Ground (SoCG) as expected by NPPF paragraph 27 and the Planning Practice Guidance?**

No, see above.

**Q1.11: Do the SoCG that have been produced identify relevant strategic matters, actions in relation to cross boundary issues, and the outcomes of actions taken?**

No.

**Q1.12: Has any local authority or prescribed body concluded the duty to cooperate has not been met?**

HBF do not know, which in itself is a problem.

***Overall***

**Q1.13: Does the evidence demonstrate that the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to advice contained in the NPPF and the PPG?**

No. In HBF’s view the Council has not fulfilled its requirements under the Duty to cooperate.

***Issue 1.2: Whether the Plan prepared in accordance with all other relevant legal requirements.***

***Local Development Scheme (LDS)***

**Q1.24: Has the Plan been prepared in accordance with the provisions of the LDS?**

No. As detailed in para 3 of our Regulation 19 response some of the documentation required was not readily available when it should have been.

***Public Consultation and Statement of Community Involvement (SCI)***

No. As set out in para 3 of our Regulation 19 response HBF were concerned that all the necessary documentation was not available during the Regulation 19 consultation period.

**Q1.25: Has the consultation process undertaken by the Council been in accordance with its Statement of Community Involvement and the relevant Regulations?**

No. As set out in para 3 of our Regulation 19 response HBF were concerned that all the necessary documentation was not available during the Regulation 19 consultation period.

***Climate Change***

**Q1.27: Does the Plan, taken as a whole, include policies designed to ensure that the development and use of land in Bristol contributes to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004 (as amended)?**

As detailed in our Reg 19 response (see para 140- 156 which cover Chapter 12 of the Local Plan) HBF have concerns about the soundness and deliverability of some of the elements and wording of the proposed climate change policies, which are not repeated here. These concerns do however demonstrate that the Council has considered the impact of climate change in their plan.

***Monitoring framework***

**The Council has suggested a modification to the Plan to include a new monitoring section and other changes to reasoned justification.**

**Q1.29: Is the proposed modification following paragraph 1.1.5 set out in document EXA02.1 necessary to make the Plan sound? Would the resulting monitoring framework be effective?**

No. HBF raised significant concerns about the monitoring of the Bristol Plan, as set out in para 168- 172 of our Regulation 19 response. The full Monitoring Framework should have formed part of the Regulation 19 Local Plan and be subject to public consultation. The Council needs to be clear what they will do if monitoring shows there is problem with policies delivering, this must be more than merely reporting the problem and include action(s) that the Council would take. The suggested Main Modification (on page 2 of EXA002.1 - Local Plan – Schedule of Suggested Main Modifications Version 2 – Published 25/09/2024) does not address our concerns.

The Council’s proposal to introduce new wording to create a commitment to “a review of the Plan within 3 years” is unclear. There terms and timescale need further explanation. Is the commitment simply to review the Plan, where it could be concluded the Plan remain up to date and not further action is required, or is the commitment to the preparation of a new Plan, in which case any policy should include the timescales for achieving the Reg 18, Reg 19 and Reg 22 milestones, as is common in many such Local Plan Review in other adopted and emerging Local Plans.

HBF would also suggest that it is essential that Bristol City Council monitors the delivery of their housing need when it is being met elsewhere. It is important that the Council know where and when the housing to meet its needs it is being planned for outside of its boundary. Any failure of the neighbouring authorities to plan for and deliver their part of the unmet need requirement will result in Bristol’s unmet housing needs remaining unmet, and remedial action of some kind will be needed.

HBF would request that the Local Plan includes a policy on Monitoring and Review which sets out a timeframe for the Review of the Local Plan and what actions would be taken if monitoring found an under-delivery of housing requirements.

***Word Count 2054 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 2: Housing Need, Requirement and Supply**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 2: Housing Need, Requirement and Supply**

***Issue 2.1: Whether the Plan establishes a housing requirement figure that is positively prepared, justified and consistent with national policy (Policy H1).***

***Objectively Assessed Housing Need***

*The Council’s response to PQ64 confirms that the objectively assessed housing need for Bristol has been established using the standard methodology set out in national policy. This arrives at a figure of 2,503 dwellings per annum (45,054 dwellings between 2022 and 2040). The 35% cities and urban areas uplift required by the PPG8 increases this figure to 3,380 dwellings per annum (60,840 dwellings).*

**Q2.1: Is the objectively assessed housing need (OAHN) for Bristol of 3,380 dwellings per annum (60,840 during the plan period) based on an approach consistent with paragraph 61 of the NPPF?**

No. HBF have provided extensive and detailed comments on our significant concerns about the Council’s approach to the calculation of the standard method figure and establishing the housing requirement for Bristol, in our Regulation 19 response, see in particular para 39 to 81. The Council has not addressed any of our concerns and as such although they are not repeated here, they remain outstanding.

In HBF’s view the Council’s response to the initial questions on the issue of housing need set out in EXA024 BCC response to Inspectors' Document IN2, are both incorrect and disingenuous. In order to comply with the standard method housing figures calculation, the Council is required to use the relevant standard method applicable at the time in full. To fail to do this, by not using the required 2014 population projections and/or not including the mandatory urban uplift, whilst still claiming compliance with the calculation methodology is simply wrong.

Even more worryingly is the Councils ‘notes’ in relation to the new NPPF included within the answers to PQ64 and PQ65. The Council suggestion that “Whilst it is

understood that proposed transitional provisions for submitted local plans will link

their examinations to earlier versions of the National Planning Policy Framework, it is

assumed that the relevant standard method figure will not be fixed to a September

2023 calculation. Under the proposed revised approach the objectively assessed

need for Bristol would change from 3,380 homes per annum to 3,057”. This statement is simply incorrect and represents a fundamental misunderstanding of national planning policy legislation, policy and guidance the role and purpose of the transitional arrangements for plan-making in the Dec 2024 NPPF.

The Government has clearly signalled its intention to deliver 1.5 million homes over the term of this Parliament. One of their first acts was to begin a consultation on revisions to the NPPF, which include a revision to the Standard Method to ensure housing numbers seek to plan for 370,000 homes per year. This is essential if the Government is to achieve its national target.

The draft NPPF included proposed transitional arrangements. These were subject to public consultation as part of the wider NPPF consultation and have been changed in the final version. The Government’s response to the consultation was published alongside the NPPF on Dec 12th 2024, see <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/outcome/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation?pk_campaign=newsletter_7168>

This response states that “The government’s proposed transitional arrangement for local plans seek to maintain the progress of plans at more advanced stages of preparation, while maximising proactive planning for the homes our communities need.”

It continues “we have decided that for plans at Regulation 19, if the draft housing requirement meets less than 80% of local housing need, authorities will be required to update their plan to reflect the revised local housing need figure and the revised National Planning Policy Framework prior to submission. For authorities with plans at examination, where the draft housing requirement meets less than 80% of local housing need the authority will be expected to begin a plan in the new plan-making system as soon as it is brought into force in 2025.”

It does not say Councils can continue with their emerging Local Plan under the transitional arrangement but simply ‘swap in’ the new standard method figure. This is just not an option. The purpose of transitional arrangements is to enable plans at an advanced stage of preparation to continue to adoption. This supports the plan-led system by enabling Councils to adopt new Plans already in progress, before having to start work on the next Plan that delivers against the new rules and requirements.

The transitional arrangements for plan-making in the Dec 2024 NPPF provide a way of assessing whether or not a Plan was doing enough in terms of planning for housing to continue its journey through to Examination and hopefully adoption, or whether that journey should stop, and the Council be required to rework the Plan to accommodate the new housing requirements. The new standard method calculations do not and should not provide a policy basis for establishing a housing requirement for the Plan progressing under the transitional arrangements.

Bristol’s Local Plan is currently in the ‘at Examination’ phase. As such the reference to a reduction “from 3,380 homes per annum to 3,057” in the ‘note’ within the response to PQ65 is relevant only to consideration of whether the Local Authority will be expected to begin a new Plan immediately, or not.

As the council themselves acknowledge in their response to PQ65, plans progressing under transitional arrangements will be considered against the relevant NPPF, in this case the NPPF in place as of Sept 2023. For a Plan progressing under this NPPF National Policy is clear is that 2014 household projections should be used, and the urban uplift should be applied.

If the Council is unhappy with the standard method calculations under the NPPF version under which is choosing for its Plan to be examined, it should withdraw the Plan and prepare a new one using the new standard method and NPPF as published on Dec 12th 2024. It cannot pick and choose which elements of the relevant national policy it wishes to apply, and which it does not.

**Q2.2: Given the Council’s response to PQ64 and PQ65, what relevance does the 2022 ORS Local Housing Need Report appended to document TPC0049 have for the issue of establishing the objectively assessed housing need?**

As set out in our response to Question 2,1 above, HBF are confused by the Councils response to PQ64 and PQ65, which on our view simply do not reflect the provisions of the transitional arrangements for plan-making set out in the Dec 2024 NPPF.

If the Council is seeking to ‘swap in’ the new NPPF standard method calculations into their plan, this may well render all of the evidence, and possibly also the discussions and debate about Sept 2023 NPPF standard method housing calculations and the Bristol City housing requirements needs redundant. HBF would strongly question whether this was the intention of the transitional arrangements. HBF would instead suggest that such an approach would require a new Regulation 19 consultation and Examination of the Plan under NPPF Dec 2024.

If this were to be an acceptable approach, HBF would still be arguing the standard method is only the starting point for establishing the housing requirements for Bristol and the other factors (as set out paras 62 to 66 of our Regulation 19) would continue to be relevant in these new circumstances. We would therefore continue to argue for a higher housing requirement for Bristol, especially in light of the long-term failure of effective planning at the sub-regional level resulting in a history of under-delivery of housing and the housing needs of both the City, and the sub-region, being inadequately addressed for many years.

Any housing requirements should be the minimum level of housing that should be planned for and there should be proper recognition of the importance of the role of the growth of Bristol in terms of supporting the economic growth of the sub-region, and the negative impacts on the city and the City-Region in failing to plan proactively and effectively for growth.

***Housing Requirement and Capacity***

*The Council has identified an overall capacity of 39,798 dwellings over the plan period10. Policy H1 sets an average annual housing requirement of 1,925 dwellings. This equates to 34,650 dwellings between 2022 and 2040. This represents a shortfall against the OAHN of 26,190 dwellings.*

*Paragraph 11b of the NPPF states that strategic policies should, as a minimum, provide for objectively assessed needs for housing, and other uses, as well as any needs that cannot be met in neighbouring areas, unless (i) the application of policies in the NPPF that protect areas of particular importance provide a strong reason for restricting the overall scale, type or distribution of development in the plan area and/or (ii) the adverse impacts of meeting the need in full would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.*

*Policy H1 states that the housing requirement will be exceeded where this can be supported by service and infrastructure capacity. The Council’s response to PQ67 states that no specific infrastructure intervention has been identified which would enable a specified number of additional dwellings but there are circumstances where additional dwellings may be plausibly facilitated.*

**Q2.3: Is the requirement for an average minimum of 1,925 new homes per annum over the plan period to 2040 positively prepared and justified having regard to identified constraints, including but not limited to land availability, viability and infrastructure? In particular:**

1. **Is the overall capacity figure of 39,798 dwellings based on a robust assessment of potential supply (including windfalls and ‘urban potential’)? Have all available sources of land for residential development been fully considered and robustly assessed?**

HBF question the deliverability of the housing numbers anticipated in this Plan for a number of reasons. Firstly, although we support the brownfield first approach, this should not be a brownfield only approach. By relying on brownfield high-density developments, and not considering green field and Green Belt sites, the result is likely to be high-density apartment housing units being developed. This will result in a mismatch between the housing types needed and the types of housing being provided.

The Council should consider opportunities for additional greenfield housing allocations and green belt release to form part of their housing supply. In failing to do so they are not planning positively for the future of Bristol and not doing “as much as possible” to meet their area’s identified housing need, as required by the Dec 2023 NPPF. Bristol Council should be seeking to minimise the amount of unmet they then need to export beyond their boundaries through the allocation of sites and a Green Belt review, not artificially suppressing the housing requirement.

1. **Does the evidence demonstrate there are no other sustainable sites for residential development within the plan area during the plan period, including sites allocated or in use for other uses?**

This is unclear from the evidence available. A full up-to-date Green Belt review has not been undertaken.

1. **Is the Plan sufficiently proactive in seeking to maximise the delivery of residential development on appropriate sites, including those which may currently be in alternative uses (such as existing employment land)?**

This is unclear from the evidence available.

1. **Given many allocations set out in Policy DA1 are for mixed-uses and contain only ‘estimated’ capacities, is there sufficient certainty about the scale of delivery envisaged from these sites?**

This is unclear from the evidence available. Although HBF do not comment on individual sites we would expect an allocation policy to clearly set out what development is acceptable on a particular site, for mixed use allocations this would be how many houses and how much for employment and other uses. The Plan polices should provide certainty for both developers and local communities.

1. **In establishing the housing requirement, is the 15% ‘headroom’ figure justified?**

No. The Plan needs to provide certainty

1. **Have the effects of meeting the OAHN been robustly assessed?**

This is unclear from the evidence available.

HBF have detailed our significant concerns about housing supply in our Regulation 19 response (see in particular para 72-81). Without an up-to-date site-by-site housing trajectory including a year-by-year breakdown of housing delivery expectations, it is difficult to comment on the robustness and deliverability of the proposed housing supply, or the reasonableness of the assumption that have informed it. The information provided by the Council is EXA024d PQ62 SHLAA 2023 Site Trajectory Table is insufficient. By way of an example of what would be sufficient we would highlight a recently produced document that Leicester City Council prepared for their EIP <https://www.leicester.gov.uk/media/aq4ktdje/exam-9a-action-331-exam9a_housing-allocations-commitments-deliverability-and-developability-23-24.pdf> about their updated Housing Trajectory which gives an example of the kind of information on each site that needs to be made available.

**Q2.4: Further to the above, the response to PQ18 refers to sites suggested as part of the Regulation 19 consultation. This concludes that development is not ruled out by the local plan as they are not in any designations that would prejudice some form of development. Does this have any implications for the estimated capacity of the City, or the assumptions made relating to windfall or urban capacity?**

HBF is confused by the Council’s response to PQ18, if sites are submitted at Reg 19 and the Council is happy for them to be developed for housing surely they should then be allocated in the Local Plan. Any site allocated for housing cannot also be counted as windfall. Asserting that “the potential future development of these 13 sites is not ruled out by the local plan Local Plan” does nothing to ensure their delivery, and as such they should not be relied upon to provide any housing development within the plan period.

**Q2.5: Has the Council assessed the likely effects of delivering a higher level of housing within the Plan area?**

No. HBF can find no evidence of the Council considering what the implications of a higher housing requirement within the Bristol City area would be. We can also find no assessment of the implications of seeking to meet the housing needs of Bristol in full- which would probably require further Green Belt release.

**Q2.6: Having regard to the above, is there substantive evidence to suggest that the requirements of paragraph 11b of the NPPF, as set out above, have been met? What are the adverse impacts of seeking to meet the OAHN?**

HBF are not clear what the impacts might be. It would appear that the Council has not assessed this option. Fully meeting the housing needs of Bristol within the City Council area, including through, if necessary significant Green Belt release, is an option available to the Council and one that should have at least been considered and tested. This option seems to have bene ruled out and dismissed for non-planning reasons.

**Q2.7: Should the Plan set out the scale of unmet housing need and set out how the issue is expected to be addressed, including the role of other local authorities?**

Yes, as set out in our Regulation 19 response HBF are very concerned that the failure of Bristol City Council and its neighbouring authorities to fully cooperate on the issue of ensuring Bristol’s housing needs are addressed. See also our response to Q1.29 on Matter One which set out our comments on Monitoring in relation this issue.

*Paragraph 74 of the NPPF expects strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period and for the plans to set out the expected rate of delivery for specific sites. The response to*

*PQ62 provides trajectory information.*

**Q2.8: To ensure compliance with paragraph 74 of the NPPF should the trajectory information provided be set out in the Plan?**

Yes. The failure to provide a full site by site year by year housing trajectory as part of the Plan, makes the plan unsound.

***Word Count 2759 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 4**: **Development Strategy and Site Selection Process**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 4: Development Strategy and Site Selection Process**

***Issue 4.1: Whether the development strategy and strategic policies of the Plan are positively prepared, justified, effective and consistent with national policy?***

***General Strategy Questions***

**Q4.1: Are the specific areas of growth and regeneration justified, consistent with the development strategy and the Plan’s overall Vision and Objectives?**

HBF do not comment on individual site allocations we remain of the that there needs to be more housing allocations. In our view this necessitates a need for a green belt review and a revisiting of the spatial strategy of the Plan to enable additional housing sites to be allocated.

**Q4.28: Is bringing forward extant allocations into this Plan justified? In particular, is it justified for these sites to have been considered and assessed separately, and differently, to other proposed allocations?**

**and**

**Q4.29: Further to the above, given development has not been implemented on these sites thus far, what assessment of likely implementation and delivery on these has taken place?**

Although HBF do not comment on allocations, we would agree that the Council needs to assure itself that extant allocations remain deliverable if they are to continue to form part of the housing land supply. This further underlines the need for effective monitoring of the Plan to ensure sites in the Housing Land supply remains deliverable and if issues emerge the Council commits to do what it can to help to bring the site(s) forward.

***Word Count 377 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 5**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 5: Green Belt**

**Issue 5.1: Whether the approach to altering the Green Belt boundaries and development within it justified and consistent with national policy?**

*The Plan proposes to alter the Green Belt boundaries in three locations, covered by policies DS11 and DS12. Paragraph 140 of the NPPF states that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. The Council’s response to PQ51 concludes that the gap between housing need and capacity to deliver housing constitutes the exceptional circumstances needed to justify altering Green Belt boundaries.*

*Paragraph 141 of the NPPF sets out what it expects Councils to demonstrate before concluding there are exceptional circumstances to justify changes to the Green Belt.*

 *Paragraph 142 of the NPPF advises that when reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be considered. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed and/or is well served by public transport. The Council’s response to PQ55 suggests there is little previously developed land in the Green Belt and that there is either incorporated into proposed Green Belt release or available for development under Green Belt policy. It goes on to provide information as to the public transport accessibility of the relevant allocations.*

**Q5.1: How much land is proposed to be removed from the Green Belt, both in overall terms and as a proportion of the existing Green Belt?**

HBF agree with the Council that that the gap between housing need and capacity to deliver housing constitutes the exceptional circumstances needed to justify altering Green Belt boundaries. A such HBF support the removal of the land from the Green Belt to help meet housing need and suggest more sites needs to be released.

**Q5.2: What would the capacity be for housing without altering Green Belt boundaries?**

Unclear from current evidence.

**Q5.3: Were all reasonable options for meeting the need for meeting the identified need for development fully examined? In particular:**

**Has the Council sought to make as much possible use of suitable brownfield sites and underutilised land?**

**Has the Council sought to optimise the density of development?**

**Has the Council discussed whether there is any potential to accommodate some of the development needs of the City in other authority areas?**

HBF believe that the scale of housing need within the City will require Green Belt release, additional sites and opportunities for housing should be explored fully, but the consequence of additional housing from other sources of supply, would be a reduction in the unmet housing need being exported elsewhere, not the removal of the justification for Green Belt release.

HBF have provided details comment about density in our Regulation 19 response see para 33- 38.

**Q5.4: Is there a quantitative need to remove land from the Green Belt in the Plan area to ensure provision of at least 34,650 homes in the plan period?**

Yes. As the Council acknowledge in their response to PQ51, page 34 of the EX024 “In order to ensure a sufficient number and range of development sites become available to meet the need for new homes, the local plan indicates that it is considered necessary to allow for a limited release of land from the Green Belt (paragraph 3.3.31). The need to bridge the gap between housing need and capacity to deliver housing constitutes the exceptional circumstances in this case. The authority cannot meet sufficient of its identified need for new homes by any other means.”

Although HBF agree that the need to meet the housing needs to Bristol is the creates the exceptional circumstances required to justify Green belt release, the releases proposed are insufficient to meeting housing need and as such the Council are not meeting the housing need of Bristol in full, or doing all they can to do so, so further Green Belt release is needed.

**Q5.5: Was the Council’s approach to assessing the opportunities for altering Green Belt boundaries robust and based on appropriate up-to-date evidence? How has this informed the Plan and specifically proposals to alter the Green Belt boundary to accommodate development needs, including the assessment of opportunities not allocated for development?**

HBF would support a full up to date Green Belt review.

Q5.6: In selecting the allocations that are removed from the Green Belt, was first consideration given to land which has been previously developed and/or is well served by public transport?

HBF would observe that larger scale Green Belt release could support a level of housing development that would enable new public transport services to be viably provided.

***Word Count 909 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 6: Infrastructure and Community Facilities**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 6: Infrastructure and Community Facilities**

**Issue 6.1: Whether policies IDC1 and SV1 relating to development contributions and social value are justified, consistent with national policy and effective.**

***Policy IDC1: Development contributions and CIL***

Q6.1: Is Policy IDC1 justified, consistent with national policy and effective? In particular:

1. **Is the viability assessment (EVEV01) suitably comprehensive, based on up-to-date evidence, and does it cover all of the Plan policies for which contributions may be required?**

HBF provided detailed comments on Bristol Viability Appraisal in our response to Policy AH1: Affordable Housing which can be found in paras 82 to 90 of our Regulation 19 response. They are not repeated here. We would however wish to note that since the conclusion of the Regulation 19 consultation, national mandatory Biodiversity Net Gain has been implemented. Feedback from our members indicate that this is providing more complex and time-consuming than perhaps expected, which in turn is impacting on housing delivery both in terms of financial viability and the time taken to secure planning permission. Feedback also suggests the requirements for on-site BNG first may also be affecting achievable.

HBF would also wish to draw attention to the recent Future Homes Hub publication <https://irp.cdn-website.com/bdbb2d99/files/uploaded/Delivering_the_Plan.pdf>

which sets out in more detail the opportunities and challenges facing the house building sector in delivering the Future Homes standard. It was published in Dec 2024. This further underlines our concerns around viability and the problem of Local Plan policies which seek to go further and faster than national Government policy.

1. **Is Policy IDC1 consistent with paragraph 57 of the NPPF which sets out the circumstances in which planning obligations may be sought and the Community Infrastructure Regulations?**

No. Section 106 contributions can only be sought to enable an development to mitigate its own impact. They cannot be used to address existing deficiencies and history under investment in services, facilities and infrastructure.

1. **Is Policy IDC1 consistent with paragraph 58 of the NPPF and PPG ID:10-007 and 10-008 which sets out the circumstances in which viability assessments may be considered as part of a planning application?**

As the whole plan viability methodology uses typologies, this means there may be individual sites that are not viable, for example if the costs or vales of a specific site fall outside the parameters used of a typology that was tested. Some site will be on the very margins of viability and other sites may already be unviable even without a change of circumstances. HBF therefore support the recognition of the potential ned for flexibility in relation to site specific viability issues. Without such flexibility the Plan is unsound.

1. **Is it justified and effective for the reasoned justification at paragraph 4.4 to refer to the Planning Obligations SPD which is dated from 2013 and refers to existing Core Strategy policy?**

No. Para 4.4 of the Plan which states that “Other contributions may be sought depending upon the individual characteristics of a development proposal. The approach to other contributions is set out in its planning obligations supplementary planning document” is unsound as it does not comply with national policy, is not justified and as such will be ineffective. If the Council wish to seek “other contributions” these would require a policy basis, set out in the new Local Plan, they cannot be sought from an SPD which relates to an old Local Plan policy that will be superseded.

All s106 contributions being sought by the Council should have been considered in the whole plan viability assessment. HBF has detailed our concerns about the Viability Appraisal in our Reg 19 and these MIQ response which are not repeated here. However, the wording of para 4.4 in the Plan further underlines our concerns about the inadequacy of the Aspinall Verdi study.

The Whole Plan Viability Assessment should be used to test different amount of affordable housing and other policy requirement to ensure the level of s106 and CIL sought do not make development unviable. Without full information and analysis of the “other contributions” being sought being robust and credible, the plan is unsound as it has not been shown to be deliverable or effective. Therefore, HBF would question the soundness of a Plan that seeks to rely on a viability assessment that has not included all the key part of the policy ask.

1. **What are the implications if any for the aims of Policy IDC1, where the viability assessment identifies that provision of flats over 6-storeys are more challenging in terms of viability?**

As mentioned above, flexibility and site-specific viability may be needed to address individual site issues, however a known viability issue facing a particular housing type methodology should have resulted in changes to policies, and further viability texting through an iterative process to arrive at policies that are viable. This is essential if the Plan is deliverable and effective in these known circumstances.

**Policy SV1: Social value and inclusion**

***Policy SV1 requires that all major applications for planning permission are accompanied by a Social Value Strategy, which would include all proposals of 10 or more homes. The policy also states that a condition will be imposed to ensure that the relevant parts of the strategy are to be implemented prior to the commencement and occupation of the development.***

**Q6.2: Is it proportionate to expect all major proposals to be accompanied by a Social Value Strategy?**

No. As HBF state in para 29 of our Regulation 19 response. HBF do not consider the requirements for a Social Value Strategy to be justified, evidenced, or effective. As such in our view this policy is unsound and should be deleted.

**Q6.3: How would the Strategy be utilised in the assessment of planning applications?**

HBF are unclear of how the Council intend this policy to work in practice, this in itself is a problem making the plan ineffective and unsound.

**Q6.4: Would a condition to secure the retention of the Social Value Strategy be in conformity with the tests for the implementation of planning conditions as prescribed in the Paragraph 57 of the NPPF?**

No. HBF would question how such a condition could be necessary to make a development acceptable in planning terms.

**Q6.5: The reasoned justification to Policy SV1 states that the Council ‘will publish advice on the content of the social value strategies, which is based on its Social Value policy, but there are no timescales for the publication of this document, its future status, and likely contents. In consequence, is the policy clearly worded and unambiguous to provide certainty for future decision makers and developers?**

No. The policy is unclear, ambiguous, unjustified and ineffective, as such it should be deleted.

***Word Count 1244 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 7**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 7: Other Housing Policies**

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

**Policy AH1: Affordable housing provision**

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

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

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

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

No. HBF have provided detailed comments in response to AH1 in our Reg 19 response paras 82 to 94. We remain of the view that Council’s approach to their affordable housing policy is unclear and confusing, making it ineffective. It is not supported by evidence and as set out in para 82 of our Regulation 19 response the Council’s own viability assessment said an area approach to targets should be adopted as viability was challenging and 35% was not viable without public subsidy. However, this is not the approach the Council has pursued.

The Council’s response to our Reg 19 comments (see page 85 of EXAM001, Brief responses to main issues raised in representations to Local Plan Publication Version (November 2023) July 2024, that “the policy provides flexibility on how the 35% affordable housing requirement is achieved. This includes where necessary viability testing, to establish the maximum affordable housing proportion that can be delivered without public subsidy, and the use of other mechanisms to make up any shortfall against the 35% expectation” simply does not address out concerns, or deal with the viability issues identified in the whole plan viability testing.

National Guidance in the viability PPG (Paragraph: 002 Reference ID: 10-002-20190509) says that “Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan.”

The Bristol therefore should not include policy requirements which evidence has shown make the delivery of housing unviable. National guidance is clear that where viability testing shows a scheme is unviable the amount of s106 contribution and/or the amount of affordable housing should be reviewed and reduced to help make the scheme viable. As currently set out the non-negotiable approach to the amount of affordable housing envisaged by the policy and the reliance on unspecified “other mechanisms” to make up the viability gap, is an unacceptable approach which will lead to many housing sites facing viability issues and being unable to be brought forward.

If the policy is to be retained and no further viability work undertaken, at the very least the Plan needs to include subject to viability within the policy, as recommended by the Council’s own evidence.

The layout and formatting of the policy is also confusing and needs to be revised for the Plan to be effective.

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

No. See comments in relation to question 7.1a) above and our Regulation 19 response.

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

No. As set out in our Regulation 19 response the Council’s own evidence shows 35% is not viable in some areas. As recommended by the Council’s own viability evidence the policy should be spatially differentiated and include a lower affordable housing percentage where this is needed. This setting of these lower affordable housing targets should be informed by additional viability testing.

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

No. As set out in our Regulation 19 response

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

No. Such as approach is not justified by the evidence and would be contrary to national policy and guidance. See our Regulation 19 response, and comments above.

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

No. Such as approach is not justified by the evidence and would be contrary to national policy and guidance. See our Regulation 19 response, and comments above.

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

No. Such as approach is not justified by the evidence and would be contrary to national policy and guidance. See our Regulation 19 response, and comments above.

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

**Would the ‘rolling review’ of policy requirements through use of ‘practice notes’ be justified, consistent with national policy and the plan-led approach?**

No. Such as approach is not justified by the evidence and would be contrary to national policy and guidance. See our Regulation 19 response, and comments above.

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

**Is the proposed tenure split and approach to First Homes justified and consistent with national policy?**

No. the policy should be updated to reflect that First Homes are no longer the preferred approach to delivering affordable housing.

**To be effective, should the provisions of paragraphs 6.30 and 6.31 be included in the policy?**

If these requirements are to be included, they should be within policy and not text, so their status is clear.

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

**Policy H4: Housing Type and Mix**

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

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

No. As HBF commented in para 95 of our Reg 19 response we do not support the wording of the policy. It is unclear.

**Is the policy, or reasoned justification, clear about what “harmful imbalances” it is seeking to redress?**

No, it is unclear and lacks evidence.

**Policy H5: Self-build and community-led housing**

**and**

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

**and**

**Policy H8: Older People’s housing and other specialised housing needs**

**and**

**Policy BTR1: Build to Rent Housing**

**and**

**Policy H9: Accessible Homes**

HBF are content to rely on Regulation 19 comments on these policies (see paras 96 to 113 of our Reg 19 response)

***Word Count 1591 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 10**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 10: Biodiversity and Green Infrastructure**

**Issue 10.1: Whether the Plan’s policies on biodiversity are positively prepared, justified, effective and consistent with national policy.**

**General matters**

**Q10.1: Is the Plan’s overall approach to biodiversity justified, consistent with national policy? In particular:**

1. **As required by paragraph 179a of the NPPF, does the plan identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation?**

HBF have provided detailed comments on BNG and the nature conservation chapter in our Reg 19 response (see para 114-139). We do not believe the Plan is coherent on this issue, and as such is unjustified and unsound. It is also not consistent with national policy.

1. **As required by paragraph 179b of the NPPF, does the plan promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity?**

HBF do not believe the Plan is coherent on this issue, and as such is unjustified and unsound.

**Policy BG1: Green infrastructure and biodiversity in new development**

**Q10.2: Is Policy BG1 justified, consistent with national policy and effective? In particular:**

1. **Is the policy sufficiently clear as to what developers would be expected to deliver?**
2. **Are requirements to meet Natural England Green Infrastructure Standards and Urban Greening Factor target scores justified? In allowing the potential use of other standards, is the policy clear and unambiguous for decision makers on what would be acceptable?**
3. **How do the Green Infrastructure Standards requirements relate to the issue of Biodiversity Net Gain?**
4. **Would it always be the case the artificial grass within proposals would be resisted, even where other biodiversity net gain requirements are met? Is this justified?**

HBF have provided detailed comments on policy BG1 and the nature in our Reg 19 response (see para 114-116). We do not believe the policy is coherent or consistent with national policy, and as such it is unjustified and unsound. It is not clear from the policy what would be acceptable. We are particularly unclear about how BNG policy links into and if complements or conflicts with urban greening factor policies.

**Policy BG2: Nature conservation and recovery**

**Q10.3: Is Policy BG2 justified, consistent with national policy and effective? In particular:**

1. **Is the policy effective in protecting and enhancing sites of biodiversity value in a manner commensurate with their statutory status or identified quality, as required by paragraph 174 of the NPPF?**
2. **Is the assessment of harm and approach to mitigation consistent with paragraph 180a of the NPPF? Is reference to Biodiversity Net Gain clear in this regard?**
3. **Is the specific approach to irreplaceable habitats consistent with paragraph 180c of the NPPF? With regard to the Council’s response to PQ129, would it be misleading to omit reference to the “wholly exceptional reasons” which are referred to in paragraph 180c of the NPPF?**
4. **In terms of impacts on local designations, is it consistent with national policy to only resist development which has a ‘significantly harmful impact’ on local wildlife and geological sites, comprising Sites of Nature Conservation Interest (SCNI) and Regionally Important Geological Sites (RIGS)?**

HBF have provided detailed comments on policy BG2 and the nature in our Reg 19 response (see para 117-118). We remain concerned how this policy interacts and potentially conflicts and/or creates confusion with Policy BG3. If they are to be retained the wording of Policy BG2 and BG3 need comprehensively reviewing an updating to ensure clarity within and between policies and to properly reflect the national policy and guidance on mandatory BNG, including the advice and guidance in the statutory metric.

**Q10.4: Are areas or sites identified as SCNI justified and based on robust and up-to-date evidence?**

**Policy BG3: Achieving biodiversity gains**

*The PPG14 states that there is no need for policies which duplicate the detailed provisions of the statutory framework in relation to Biodiversity Net Gain. The Council’s response to PQ130 on this matter concludes that the Council consider a policy is still beneficial.*

**Q10.5: Is Policy BG3 justified, consistent with national policy and effective? In particular:**

1. **Does the policy unnecessarily duplicate the detailed provisions of the statutory framework in relation to Biodiversity Net Gain? If so, are those provisions consistent with the statutory framework?**

As set out in Reg 19 response HBF do not believe it is necessary to repeat national policy on this issue. Signposting to the national policy and guidance is all that is needed. Althouhg HBF welcome the proposed Modification to BG3 which removes the inaccurate wording “which is required to be submitted alongside a planning application” (as set out in EXA002 - Local Plan – Schedule of Suggested Main Modifications. Version 1 – Published 05/07/24 and EXA002.1 - Local Plan – Schedule of Suggested Main Modifications. Version 2 – published 25/09/2024) no further changes are proposed to policy.

The proposed change is not accompanied with additional wording to explaining what a BNG Plan and when one would be needed. As BNG plans are post-permission submissions, and this is new mandatory process, the Local Plan should refer to the new process, although this should be done by reference to the national policy and guidance, so cross referencing rather than lots more policy wording is what is needed.

HBF are disappointed that the Council has not reviewed this policy, and indeed the whole chapter, to bring it up to date which is necessary for soundness so that the plan reflects current national policy. For example, it should be clear that the use of the BNG Metric is mandatory where it is required, but that the small sites metric is also an option for sites of lower impact and BNG risk. There is confusion between the metric which calculate the pre-and post-development values and the BNG gain plan that sets out how the 10% net gain will be achieved. It should also be noted that BNG delivered in gardens is not required to be secured for 30 years through the BNG Plan.

1. **How does the section on the biodiversity gain mitigation hierarchy relate to Policy BG2 and is this section consistent with national policy, in particular paragraph 180 of the NPPF?**

This remains unclear. As mentioned above HBF are disappointed that the Council has not reviewed all the policies and text in the whole Biodiversity Chapter to bring it up to date which is necessary for soundness so that the plan reflects current national policy.

1. **Is the policy justified and effective in seeking to “encourage” development to secure more than the minimum 10% requirement? How would this be expected to be achieved and how would it affect the decision-making process?**

No. HBF have seen no evidence to seek to go beyond 10% national mandatory national BNG, or that the viability implications of doing so have been properly considered. Indeed, the viability assessment already suggests some of the development proposed is unviable (see for example, HBF response to MIQs Q6.1). The wording of the policy is currently unclear and unsound as it will be ineffective.

1. **In paragraph 6, is reference to avoiding harm “where possible” to existing designated and non-designated habitat and species features of conservation value consistent with national policy on the protection of biodiversity assets?**

No. The wording of the chapter, especially around BNG in unclear ineffective and unjustified. As we requested in our Reg 19 response the whole chapter needs revisiting to ensure it properly reflects the latest national policy and guidance on BNG.

1. **Is the main modification suggested to the third paragraph of the policy, as set out in EXA002.1 necessary to make the Plan sound?**

Althouhg, the deletion of the erroneous wording is needed, but the Plan would still be unsound as further revisions to the policy and text and needed. It is important for the Plan to be effective that the Plan properly reflects the intentions of the mandatory BNG process, and the environmental mitigation, and BNG hierarchies. The intention is for BNG to be considered at the earliest opportunity, ideally right back at the site selection phase of plan-making (informed by LNRS once it has been published), and then site design. However the mechanism for securing the BNG delivery and its monitoring and maintenance is via the post-permission condition requirement to submit a BNG plan and for this to be agreed by the LPA.

**Policy BG4: Trees**

**Q10.6: Is Policy BG4 justified, effective and consistent with national policy, including:**

1. **Is reference to the loss of ancient woodland or ancient and veteran trees consistent with paragraph 180c of the NPPF and/or Policy BG2? (See also Council response to PQ130).**
2. **How have the tree compensation requirements been derived and are they justified?**
3. **Is the relationship between this policy and those relating to biodiversity net gain clear and unambiguous?**
4. **The final paragraph states that replacement trees should be provided as close as possible to the development site. Is this clear in terms of on-site provision?**
5. **Are references in paragraph 9.1.38 to tree cover being deliberately reduced prior to an application justified and how would the Council expect to assess this (for example, what evidence would be assessed)? If justified, to be effective, should this reference be in the policy?**
6. **Is the suggested main modification to the table, as set out in EXA002.1, necessary to make the Plan sound?**

HBF have nothing future to add to our concerns as expressed in para 138 of our Reg 19 response. In relation to suggested Main Modification to BG4, this does not address our wider concerns about the inconsistency and potential conflicts within and between the natural environment policies in the Bristol Local Plan and the policies and national guidance on BNG.

**Policy BG5: Biodiversity and access to Bristol’s waterways**

**Q10.7: Is Policy BG5 justified, effective and consistent with national policy?**

HBF have nothing future to add to our concerns as expressed in para 139 of our Reg 19 response.

***Word Count 1826 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 12**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 12: Urban Living**

Issue 12.1: Whether policies UL1 and UL2 are justified, effective and consistent with national policy.

**Policy UL1: Effective and efficient use of land**

**Q12.1: Is Policy UL1 justified, effective and consistent with national policy? In particular:**

**a) Is the policy sufficiently clear as to what is meant by efficient use of land and the development under-used land?**

**b) References are made to the Urban Living: Making Successful Plans Supplementary Planning Document. Has this document been produced and, if so, what does it require? If not, are the requirements of this document sufficiently defined and precise?**

1. **Given that Policy UL2 prescribes minimum densities for various areas in the city, does Policy UL1 provide additional requirements that would aid the assessment of a proposed development?**

HBF have nothing future to add to our concerns as expressed in para 30 and 31 of our Reg 19 response.

**Policy UL2: Residential densities**

Q12.2: Is Policy UL2 justified, effective and consistent with national policy? In particular:

a) Policy UL2 refers to ‘suitable sites’, but this phrase has not been defined. Does wording provide sufficient certainty to future developers and decision-makers as to where developments with higher densities should be directed?

b) What evidence underpins the minimum densities listed in the policy?

c) The table in Policy UL2 refers to suggested minimum densities, whilst the text of the policy outlines the circumstances where a lower density might be acceptable. Therefore, are the text and the table in Policy UL2 compatible?

d) The policy refers to the need to consider ‘market signals’. Are the requirements as to what information should be provided in respect of these points sufficiently defined to be clear and unambiguous; and how will it be assessed?

e) How would the policy be applied in conjunction with other policies of the plan, such as DC2 and H4?

HBF have nothing future to add to our concerns as expressed in para 33-38 of our Reg 19 response.

***Word Count XX (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 13**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 13: Built Environment**

**Issue 13.1: Whether policies DPM1, DC1-DC4, CHE1 and AD1 are justified, effective and consistent with national policy.**

**Policy DC1: Liveability in residential development including space standards, aspect and private outdoor space**

*National policy (footnote 49 of the NPPF) states that planning policies for housing may make use of the nationally described space standard where the need for an internal space standard can be justified.*

**Q13.2: Is Policy DC1 justified, consistent with national policy and effective? In particular:**

**a) Is the requirement in policy DC1 for residential development intended for permanent or long-term occupation to comply with nationally described space standards justified, taking account of need, viability and timing?**

HBF comments on DC1can be found in para 157 to 166. We remain concerned that the wording of the policy seeks to give Local Plan policy status to an SPD which is not appropriate.

**b) Will the requirements relating to dual aspect homes and private outdoor space be effective and are they justified?**

HBF do not believe these requirements are justified or effective, however if they are to be retained it is noted that all policy wording should be in policy and not relegated to supporting text. The wording of the policy in seeking to maximise dual aspects homes, which is a supportive policy, seems to be in conflict with the remaining part of the text where policy which says single aspect homes should be avoided.

**c) Will it be clear to the decision maker how they should react to proposals for specialist forms of accommodation as set out in paragraph 13.1.20? To be effective should this paragraph be included within Policy DC1?**

HBF do not believe the wording is the text is clear. Any policy flexibility should be set out within the wording of the policy.

**d) Are the Council’s proposed modifications relating to outdoor space as set out in their response to PQ.151 necessary for soundness?**

HBF does not support this policy requirement, the proposed wording change does not address our concerns.

***Word Count 467 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 14: Climate Change and Flood Risk**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 14: Climate Change and Flood Risk**

**Issue 14.1: Whether policies relating to climate change and energy efficiency are justified, effective and consistent with national policy.**

*The Government published a Written Ministerial Statement (WMS) in December 2023 relating to energy efficiency standards. EXA002.1 sets out some proposed main modifications to Policy NZC2 which the Council consider reflect these changes.*

***General matters***

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

HBF’s response to Policy NZC1 is set out in para 140 and 141 of our Regulation 19 statement. We do not believe the Council’s approach is justified or supported by local evidence.

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

No. HBF have made detailed comments highlighting our concerns about the viability study elsewhere in our MIQ response and in our Regulation 19 response, which are not repeated here.

**Policy NZC1: Climate change, sustainable design and construction**

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

1. **Is the requirement for all development proposals to submit Sustainability Statements justified?**
2. **Is the requirement for all residential or mixed-use developments of 200 dwellings or more to meet BREEAM Communities Excellent ratings justified and consistent with national policy?**
3. **Is the reference to other sustainable design standards clear and unambiguous?**
4. **Is requiring the optional technical standards for water efficiency standards justified by a clear local need, as set out in the PPG18?**

HBF’s concerns about this policy are set out in our Reg 19 response see para 141

We concur with comments made by other parties questioning the justification for this policy in light of the WMS, and lack of local evidence and justification.

**Policy NZC2: Net zero carbon development – operational carbon**

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

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

No

1. **Is it justified, or effective, to expect proposals for all development to submit an energy strategy, including any ‘modelling’ referred to in paragraph 12.1.20?**

No

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

No

1. **Is the approach to Energy or Carbon offsetting justified and effective? Is it necessary, or effective, for the policy to include ‘current’ charges?**

No. The suggested change to the policy to require that “homes, achieve a 100% reduction in regulated CO₂ emissions from the Target Emission Rate calculated using the in-force version of SAP, Home Energy Model or future replacement.”

The proposed changed continues

“Where it is clearly demonstrated that onsite emissions reduction

has been maximised and it is not technically feasible for the

development to achieve a 100% reduction on the Target

Emissions rate onsite, the remaining regulated CO₂ emissions

should be offset as set out below.” And the policy then says

“Carbon offsetting

Where the above requirements for energy use CO₂ emission

reduction cannot be met by on-site measures alone, any

remaining CO₂ emissions will be met by either:

A financial contribution towards the council’s energy offset

fund; or

Securing the provision of acceptable directly linked or

near-site new additional renewable electricity generation

provision.”

The financial contribution required will be a one-off payment

equivalent to the cost of mitigating the remaining CO₂ emissions

off-site over a 30 year period. The value of a tonne of CO₂ₑ is tied

to the high scenario in the valuation of Energy Use and

Greenhouse Gas supplementary guidance to the treasury’s

Green Book (currently £403).

Where development does not meet the minimum onsite

renewable energy requirement, a one off-payment equivalent to

the cost of providing equivalent additional small scale solar PV

energy generation elsewhere in the city over a 30 year period,

index linked. This cost is tied to the most recent DESNZ solar PV

cost data for small scale solar PV, and includes a 15%

administrative charge (currently £99 per MWh).

HBF fundamental concerns about policies seeking to go further and faster than building regulations remain, but if there is to be policy it must possible to comply with it, this is not the case for the suggested wording here.

1. **Is it justified and consistent with national policy to allow compliance with PassivHaus Classic or higher standards?**

No. There is no need or justification for planning policy to get involved in this issue. The Building Regulation process is enough.

1. **Under the ‘delivering modelled performance’ section, is it clear what would be expected with any development, or how it would be controlled?**

HBF response is set out in para 142 to 148 of our Regulation 19 statement

HBF note the changes proposed by the Council in relation to the WMS which they say will enable them to comply with the restrictions on setting local policies on this issue. HBF do not believe the Council has provided sufficient evidence to justify the need for any policy in this are above and beyond building regulation and particular not one as complex and unclear as this. The viability implications of this needs to have been fully assessed as part of the whole plan viability assessment and have been. Our member experience suggests Biodiversity Net Gain, a mandatory and complex area of new policy is already creating delays and increasing pressure on under resourced planning department, so to introduce new policies such as this will only add to that administrative burden. This is policy is unnecessary as there is already a system to ensure homes are built to high environmental standards that of Building Regulations. HBF do not agree that Local Plans, and the Bristol Local Plan is particular, need to be adding additional policies and complexity to this issue.

**Policy NZC3: Embodied carbon, materials and the circular economy**

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

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

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

HBF response is set out in para 149 and 150 of our Regulation 19 statement

**Policy NZC4: Adaptation to a changing climate**

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

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

**Further to the above, does the policy unnecessarily repeat other policies relating to energy efficiency, design, living conditions and such things as provision of blue and green infrastructure?**

**Is it justified to expect an ‘adaptation strategy’ for all proposals? In addition, is it justified or effective to expect all adaptation strategies to include technical**

**change scenarios?**

HBF response is set out in para 151 of our Regulation 19 statement

**Policy NZC5: Renewable energy and energy efficiency**

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

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

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

HBF response is set out in para 152 to 156 of our Regulation 19 statement

Word Count 1557 (including wording of the questions)

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 17: Individual Site Allocation Policies**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 17: Individual Site Allocation Policies**

**Q17.2: To be effective, should the development requirements set out in the Development Allocations Annex be set out clearly in policy?**

HBF do not comment on individual allocations, but we would expect allocated sites to be allocated in policy that lists all the allocations. We would also then expect a policy for each site which sets out the requirements for each individual sites. Without a clear policy for each allocation HBF are of the view that the plan will be ineffective and as such unsound.

***Word Count 226 (including wording of the questions)***

**Home Builders Federation (HBF) Response to Matters, Issues and Questions (MIQs) for the Bristol Local Plan- Matter 18: Housing Trajectory and Housing Land Supply**

HBF is the principal representative body of the housebuilding industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC’s, regional developers and small, local builders. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.

We have not commented on every policy on those of interest to our members.

We have not repeated our Regulation 19 concerns which remain outstanding but have referred them where we feel this is helpful. This response should therefore be read in tandem with our Regulation 19 comments.

**Matter 18: Housing Trajectory and Housing Land Supply**

**Issue 18.1: Whether the plan will provide for a sufficient housing land supply to deliver the planned scale of housing growth over the plan period and whether a deliverable five-year supply of housing will be available on adoption.**

***Paragraph 68a of the NPPF states that planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period. Paragraph 68b requires the identification of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the Plan.***

**Q18.1: What is the most up to date 5-year housing land requirement and supply position?**

HBF would wish to see and comment on the Council’s current position in relation to Housing Land supply.

As set out in more detail in our Regulation 19 response, HBF do not believe that the Plan as the housing requirement for the Bristol Local Plan is sufficient.

**Q18.2: Would the Council be able to demonstrate a 5-year supply of deliverable housing land on adoption of the Plan? Are assumptions on deliverability appropriate, justified and consistent with national policy?**

**In responding, could the Council ensure the most up-to-date trajectory of the supply is provided.**

As set out in more detail in our Regulation 19 response, HBF do not believe that the Plan as the housing requirement for the Bristol Local Plan is sufficient.

HBF would wish to comment on the revised Housing Trajectory once it has been provided. We note doc XX in insufficient as although it provides more site information it does not include a year by year break down of housing delivery on a site by site this basis. This is essential for the effective monitoring of housing land supply.

**Q18.3: Does the Plan identify a supply of development sites, or broad locations for growth, for years 6-10 and, where possible, years 11-16 of the Plan, from the point of adoption?**

As set out in more detail in our Regulation 19 response, HBF do not believe that the Plan as the housing requirement for the Bristol Local Plan is sufficient. As such the Plan does not identify enough sites to establish a large enough supply of development sites, or broad locations for growth, for years 6-10 and, where possible, years 11-16 of the Plan, from the point of adoption.

***Issue 18.2: Whether the Plan identifies specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the Plan.***

**Q18.4: Is the Plan consistent with paragraph 68b in terms of the identification of a supply of development sites, or broad locations for growth, for years 6-10 and, where possible, years 11-16 of the Plan, from the point of adoption?**

As set out in more detail in our Regulation 19 response, HBF do not believe that the Plan as the housing requirement for the Bristol Local Plan is sufficient. As such the Plan does not identify enough sites to establish a large enough supply of development sites, or broad locations for growth, for years 6-10 and, where possible, years 11-16 of the Plan, from the point of adoption.

HBF’s concerns about housing supply more generally are set out elsewhere in our MIQ and Reg 19 responses, which are not repeated here.

Word Count (including wording of the questions)