

1. Tilted Balance

Bristol has a positive approach to boosting the supply of homes. Policy H1 of the emerging Bristol Local Plan (Publication Version November 2023) proposes an ambitious housing requirement of 1,925 homes per year, substantially higher than that of the current Core Strategy (June 2011). The emerging plan offers a large range of potential development sites, areas of growth and regeneration and a variety of policy interventions that will help to ensure that the housing requirement is delivered and preferably exceeded. In doing so the emerging plan seeks to meet as much of the identified housing need as possible, consistent with paragraph 60 of the National Planning Policy Framework (NPPF).

Until the new local plan is adopted, the council is expected to identify and update annually a supply of specific deliverable sites to meet its local housing need for the next few years. If it cannot do this, the presumption in favour of sustainable development applies. For Bristol, only a four-year supply must be demonstrated, as the emerging local plan has reached the Publication (Regulation 19) stage (NPPF paragraph 226).

The Government's standard method sets Bristol's local housing need at a very high level due to the inclusion of an additional 35% uplift for the largest cities and urban centres. Consequently, despite a substantial stock of planning permissions and a positive approach, Bristol is currently unable to demonstrate a four-year supply of housing land. As a result paragraph 11(d) of the NPPF is engaged and the tilted balance applies.

In this regard this report has set out that the proposal's design and impact on the character of the area fails to meet the expectation of policies BCS21 of the Bristol Core Strategy (2011), DM21, DM26, DM27 and DM29 of the Site Allocation and Development Management Policies (2014). Further, the proposal fails to ensure highways safety as a result of an overly intensive and unacceptable parking layout and conflicts with Part 9 of the NPPF (2023), policy BCS10, of the Bristol Core Strategy (2011) and policy DM23 of the Site Allocation and Development Management Policies (2014).

The fact that policies have to be considered out-of-date does not mean that they can carry no weight. To carry weight, policies must be consistent with the NPPF, as explained in its paragraph 219 which, amongst other things, explains that the closer the policies in the plan are to the policies in the NPPF, the greater the weight that may be given to them. As such, it is perfectly possible for policies which are deemed out-of-date for reasons of an inadequate housing land supply to still carry significant weight. In this case, officers consider that to be the case here, as all the policies cited within this report for reasons to refuse the development are consistent with the NPPF. The policies referenced should therefore still all carry significant weight in the determination of this application.

2. Response to Inspector's questions

It is acknowledged that proposed reforms to the NPPF and the Secretary of State's ministerial statement both underscore the urgent need to deliver more housing through the planning process, however in this case it is noted that no amendments are proposed within several areas that are relevant to this proposal, including 'Identifying land for homes' (paragraph 73) which states that "Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". Furthermore, paragraph 132 of Section 12 would also remain unchanged, stating that "Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history,

including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)". Paragraph 126 (Achieving appropriate densities) also remains unchanged and states that "Planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places." Moving to transport considerations, the consultation also retains important sections relevant to the case under assessment, including paragraph 113 which states that "development should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles.". The Ministerial statement focuses on broader level reform and overhaul of planning processes which while geared towards increasing housing delivery and the provision of affordable housing, is not considered to undermine the conclusions of the Local Planning Authority in this regard.

Overall, therefore, and with due consideration made to the tilted balance as well as the documents raised by the Inspector, the Local Authority upholds that refusal of the scheme would still be recommended on the basis of the issues put forward within the original statement.