



an independent force for a better Bristol

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LEVELLING-UP AND REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY

In summary

The Bristol Civic Society supports the government’s policy objectives as set in chapter 2 of the consultation document. We welcome the stated desire “to make good design and placemaking that reflects community preferences a key objective of the planning system”. This has notably been missing for several years in Bristol, both in how planning policy is prepared and the quality of development that secures planning permission. It is not an exaggeration to say the character of Bristol is under threat from a tidal wave of poorly-designed, overly-dense, developments that are not sympathetic to their context. The worse culprits are tall buildings, 25+ storeys, but the same concerns about poor design apply to many mid-rise developments.

It is therefore very important that this policy objective influences all national planning policy, and is applicable in all locations. At the moment, the draft National Planning Policy Framework (NPPF) appears to conceive a two-tier approach. We fear the government’s emphasis on the 20 largest towns and cities delivering the arbitrary 35% uplift to housing requirements will mean the character and quality of placemaking in our city, and community preferences, will get less attention. In Bristol, local communities also want “beautiful new development, in a local plan shaped by the community, supported by appropriate new infrastructure, that enhances the environment, creating new neighbourhoods while respecting existing ones”. We also very much agree that “planning for housing is not just about numbers” and this should apply to Bristol. We return to this concern below.

Bristol has a shared ambition to be carbon neutral by 2030. We therefore welcome the commitment to review the NPPF to “make sure it contributes to climate change mitigation and adaptation as fully as possible”. However, we are disappointed that delivery of the commitment in the government’s Net Zero Strategy, published in October 2021 (with a similar promise made in the planning white paper from 2020), is taking so long to come to fruition.

Who we are and why we’re responding to this consultation

Bristol Civic Society is an independent, voluntary organisation that exists to improve Bristol’s

built environment and celebrate its heritage. We have over 600 members.

Through our working groups, we seek to influence the development of major sites in the city and improve transport and place-making. We do this through active engagement on specific development proposals, and with plan and policy-making in the city. This means we are very familiar with how national planning policy filters through to decisions on development proposals and, as customers of the outcomes, are well-positioned to judge the effectiveness of current process and policy.

Our submission focuses on those parts of the consultation that will have most impact on delivering our [manifesto](#) for Bristol, and has been informed by our [concerns](#) about Bristol's Local Plan Review that has been out to consultation recently. We order our submission by reference to the sections in the December consultation and have highlighted our responses to particular questions. The submission, though, should be read in the round.

Chapter 4 – Planning for housing

We agree with the government that “Ensuring that enough land is allocated to provide the right homes in the right places that our communities need, alongside other economic, social and environmental needs, is a central task of planning.” Likewise, we support the government’s “objective of a planning system that delivers the new homes we need while taking account of important areas, assets or local characteristics that should be protected or respected.”

Question 6

We cannot agree, however, with the suggested changes in the opening chapters of the NPPF as they do not make it sufficiently clear that planning is no longer business as usual. What we plan and deliver today has to be fit for net zero living in a changing climate. And while “the importance of planning for the homes and other development our communities need” is axiomatic, so should be the need to secure biodiversity and deliver healthy places. These objectives also need to be reflected, and with equal emphasis.

In paragraph 4 of the consultation document, it says “Our proposed changes respond to the concerns we have heard from a wide range of stakeholders. We have heard that ... some major urban centres are not meeting, or proposing to meet, their housing need in full, with the prospect of it being ‘exported’ to surrounding areas, contrary to the objective of delivering need in those areas with the best sustainable transport links and infrastructure, and with the greatest brownfield opportunities.”

Sadly, this is pure party politics and part of the settlement with Conservative Party backbenchers reached in the context of the Levelling-Up and Regeneration Bill rebellion. We do not dispute the importance of brownfield sites in meeting development needs or of building where active travel and public transport can be accessed. But to make such a sweeping statement with so little regard to extant pressures on infrastructure in cities such as Bristol, the

swathes of poor air quality endemic in metropolitan areas and the need to ‘green’ some brownfield sites to provide adequate green infrastructure is the antithesis of good planning.

In paragraph 8 of the consultation document, we are wary about the reference to “university towns with an above-average proportion of students.” This is the situation in Bristol that in term time is home to some 60,000 students. This puts enormous pressure on community services, Bristol’s housing stock and available brownfield resource for meeting housing needs arising in the community.

Question 8

Local councils should not have to accept without challenge the assumed continuing growth in student numbers arising from local universities and therefore the need to accommodate this growth. Planning for housing need should not mean accommodating without question the student numbers forecast by universities as part of a profit-maximising business model. National policy and guidance should make this clear.

Question 9

We support making clear that if housing need can be met only by building at densities which would be significantly out-of-character with the existing, this may be an adverse impact which could outweigh the benefits of meeting need in full. It is also important to underline that planning for growth should be in a way that recognises places’ distinctive character and delivers attractive environments which have local support. This is as true in Bristol as it is in the surrounding shire districts.

Question 10

We support the gentle densification advocated by the Building Better, Building Beautiful Commission. This design model reflects the building heights and compactness of much of Georgian Bristol. Where councils would have to import alien building typologies that do not derive from an approach to design which reflects community aspirations, such as tall buildings here in Bristol, this should be sufficient evidence. Tall buildings are not an effective way to meet housing need consistent with delivering healthy homes and cutting carbon emissions.* Even the government’s own consultation relating to second staircases in tall buildings, in the consultation stage impact assessment, acknowledges that “The costs of a second staircase will also impact the viability of high-rise buildings, this is likely to reduce the amount of affordable housing that can be provided by developers.”

*For example, <https://www.nature.com/articles/s42949-021-00034-w.pdf> and <https://tinyurl.com/353yn6tc>

Question 13

We do not support the urban uplift. It is unevidenced and arbitrary. We agree that brownfield and other under-utilised urban sites should be prioritised for development over greenfield sites with biodiversity value but only to the extent this is part of informed placemaking. The urban uplift is a fig leaf that attempts to disguise the absence of effective strategic planning.

By informed placemaking we mean planning that takes proper account of current and likely capacity in soft and hard infrastructure, plans for the needs of communities in the round including for jobs and access to open space and is cognisant of pollution both in the locality and site-specific. It is a gross over-simplification, and flies in the face of experience here in Bristol, to say, as per the proposed footnote 30, the optimisation of density will “ensure that homes are built in the right places, to make the most of existing infrastructure, and to allow people to live near the services they rely on, making travel patterns more sustainable.”

What is more likely to ensue, is over-development using building styles alien to localities, added pressures on existing services and condemning people to live in unhealthy homes. It is important to heed the warnings of the Chief Medical Officer in his report published in December and these comments in particular:

Page 59 “...At present there is a disparity in exposure to NO₂ that is affected by an individuals’ time spent near to major roads and living in higher-density urban settings. ...”

Page 127 “While compact places may reduce car use, air pollution concentrations may also be affected by building density and form, which can either reduce or increase the dispersion of pollutants. Urban planning can help by avoiding siting homes and active travel routes directly next to traffic routes.”

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1124738/chief-medical-officers-annual-report-air-pollution-dec-2022.pdf

Question 14

If you persist with the urban uplift, then policy and guidance should make it crystal clear that this is subject to a full assessment of infrastructure capacity, the suitability of brownfield sites for homes, competing claims on brownfield sites such as for green infrastructure, the local environmental concerns as set out in section 15 of the NPPF and the full implementation of national policy designed to secure well-designed and beautiful places. Councils, with government support, should also be expected to look to make the best use possible of existing buildings not least because of the carbon imperative.

Policy and guidance should be clear that the urban uplift is subject to new development reflecting designs that suit local communities and at densities that make efficient use of land while aligning with local character. This means building upwards should be consistent with existing street design.

Chapter 6 – Asking for beauty

Question 33

We support making changes to the NPPF to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development. It should be clear that these changes also apply to the 20 largest towns and cities.

Chapter 7 – Protecting the environment and tackling climate change

We agree leaving the environment in a better state and tackling climate change are two of the greatest long-term challenges facing the world today. We therefore encourage government to make this much clearer in the NPPF, and deliver this clarity as a matter of priority.

We also agree that the NPPF should promote locational and design decisions that reduce exposure to pollution and hazards and respond to changing climate conditions. It should be clear that these considerations also apply to the 20 largest towns and cities.

We support “promoting development locations, and designs and layouts, that contribute to healthier lifestyles, energy and resource efficiency consumption, for example by reducing the need to travel, increasing public transport connectivity and accessibility and promoting active travel i.e. walking, wheeling and cycling” provided the spatial strategy for a place brings these together in a way which addresses them in a holistic way and reflects its unique characteristics.

Question 39

We encourage government to take the lead and provide a broad form of carbon assessment for application at local plan-level to steer choices about location, travel mode, design and development mix.

Local planning authorities are bound by the legal duty on local plans to include “policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change”. In discharging this duty, local authorities should comply with paragraph 153 of the NPPF and ensure that local plans are in line with the objectives and provisions of the Climate Change Act 2008. This means a local plan's development strategy (and supporting policies) should be consistent with both the Climate Change Act's net zero target and the supporting carbon budgets.

In our response to the Bristol Local Plan Review, we have commented that a critical, and in this instance missing, part of a plan's evidence base is an assessment of the carbon emissions the plan's strategy will give rise to. As the plan stands, we have no idea whether the draft local plan is consistent with national policy, or the actual anticipated carbon implications of the chosen strategy and supporting policies.

Question 39 cont'd

In our view, this is unacceptable. It should be unacceptable to government too. How else will government know whether the aggregate of local plan-making across the country, and subsequent decisions on new development helps or hinders the achievement of national emissions targets?

Mission Zero has underlined the importance of “Reforming the planning system at local and national level to ensure it properly supports net zero. One of the starkest messages from hundreds of organisations and individuals is that the planning system is undermining net zero and the economic opportunities that come with it. The Review recommends wide-ranging local planning reform – from the introduction of a net zero test to a rapid review of bottlenecks in the system – to ensure that it is fully aligned with our net zero future.”

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1128689/mission-zero-independent-review.pdf

Question 44

We support the proposed change in policy to support energy efficiency. We would also suggest borrowing from the 2012 NPPF and reinserting the language of the deleted policy that local planning authorities should *actively support energy efficiency improvements* to existing buildings.

In Bristol, we have over 300 Grade I and II* listed buildings, dozens of Grade II listed buildings and 33 conservation areas. These are hugely important to the city's character and heritage. We also have a city-wide ambition to be carbon neutral by 2030 which we support. We therefore agree that sympathetic improvements to the energy efficiency of historic buildings should be encouraged.

Chapter 10 – National Development Management Policies

Questions 49 / 50

We do not support any limitation on local plans to respond to the local context, local needs and local ambition. Therefore, we are cautious about the implied narrow definition of planning issues as excluding “subjects which are regulated through other legislation, for example the building regulations or acts relating to public health, pollution...”. Matters addressed through building regulations and other regulatory regimes can be the essence of good spatial planning. National regulation can be coarse in granularity (the binary geographies used in Part O), dictated by the pace of the slowest (energy efficiency standards) and brought to the table too late (embodied carbon). These are all matters of relevance to place and technical standards for setting locally through plans. By all means set metrics for use in local planning but don't remove place-based discretion.

Question 51

For the reasons given above with regard to the unevidenced and blanket urban uplift, we are very wary about the suggestion relating to housing in town centres and built-up areas. Places differ, as does capacity in transport systems so it would be wholly inappropriate to standardise expectations across the country. The policy in existing paragraph 105 in the NPPF already says what is required and puts the onus on local planning “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

The relationship between National Development Management Policies and locally-produced plans

We are very wary about where the line will be drawn between securing efficiency in plan-making and maintaining local discretion to tackle planning issues in ways appropriate to the local context and geography. We have seen too many inappropriate appeal decisions driven by national policy to be reassured that government will draw the line correctly.

For the reasons given above, we support the example of local policy discretion relating to student housing given the significance of the impact here in Bristol on the wider housing market.

Chapter 11 – Enabling Levelling Up

There are a number of unevidenced assertions in this chapter that appear to be little more than a weak attempt to justify the urban uplift. Where is the evidence that backs “This underperformance is driven, in part, by the fact that our cities and their urban cores are less dense than their European counterparts.”?

And “At an economic level, population density - supported by the right houses in the right places - can increase the labour pool of an economic region and contribute to improved productivity.”? What about capital investment, skills....?

And to say this, irrespective of incomes, affluence and potential ridership is at best naïve “At a community level, increasing the density of urban cores could revitalise high streets, and make public and active transport systems more affordable.”

We would support national planning policies that “are fully supportive of our aim to gently densify our urban centres” but that is not what the development industry has been delivering in Bristol. The urban uplift would exacerbate this.