



## National Planning Policy Framework and National Model Design Code: Consultation proposals

### Bristol Tree Forum Submission

My name is Mark Ashdown. I am Chair of the [Bristol Tree Forum](#) on whose behalf this submission is made. These are our [aims and terms of reference](#).

Individual planning decisions, development designs and local and national plans for development all impact local communities. We urge you to consider our views on the design codes and to continue to engage communities and groups such as ours in local planning decisions.

Here are our detailed responses to those parts of the consultation that affect our interests.

#### 1. The changes proposed in Chapter 2 - Achieving sustainable development

**Paragraph 7** - We agree with the introduction of the [17 Global Goals for Sustainable Development](#). These have been adopted by Bristol as part of its [One City Plan](#) so their adoption in the NPPF will be essential for ensuring that the city's core planning policies are aligned with its wider goals.

**Paragraph 8** states:

‘Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).’

We would also like it to be made as clear as possible that these three overarching objectives are indeed ‘interdependent and need to be pursued in mutually supportive’ ways so that no one objective takes precedence over the others, as has been our experience with a number of recent planning decisions made in Bristol.

We propose that the paragraph amended to read:

‘Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways *so that no one objective is treated as having precedence over the others* (so that opportunities can be taken to secure net gains across each of the different objectives).’



**Paragraph 11 a)** - We also endorse the proposed change that ‘all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects’. Trees are an important component of this, particularly where green space is limited.

## **2. The changes proposed in Chapter 3 - Plan making**

**Paragraph 22** - We agree that ‘where larger-scale development such as new settlements form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery’. Too often, trees that were planted where a site was last developed (often only a few years before) are sacrificed to the short-term goals of the new proposal. Setting longer-term goals can help prevent this.

**Paragraph 35 d)** - We welcome the change to this paragraph to ensure that local plans and spatial development strategies are consistent with ‘other statements of national planning policy, where relevant’. There is a tendency for local planning policies, which may have been adopted years before, gradually to become misaligned with changes happening on a shorter cycle at a national level. This change will help to mitigate this effect.

## **3. Proposed changes to Chapter 4 - Decision making**

**Paragraph 53** - Of the two options offered<sup>1</sup>, we prefer the second - ‘where they relate to change of use to residential, be limited to situations where this is necessary in order to protect an interest of national significance’. In our view, the phrase ‘wholly unacceptable adverse impacts’ is open to too wide an interpretation which may not be rooted in wider national goals.

We agree that that Article 4 directions should be restricted to the smallest geographical area possible.

## **4. The changes proposed in Chapter 8 - Promoting healthy and safe communities**

We welcome many of the additions and changes proposed, including the recognition that a well-connected network of high-quality, open, green and wooded spaces is important for both our mental and physical health.

**Paragraph 97** - We believe that access to a network of high-quality open spaces and opportunities for sport and physical activity ‘should always deliver wider benefits for nature

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<sup>1</sup> ‘a) where they relate to change of use to residential, be limited to situations where this is essential to avoid wholly unacceptable adverse impacts’ or ‘b) where they relate to change of use to residential, be limited to situations where this is necessary in order to protect an interest of national significance’.



and efforts to address climate change’.

## 5. The changes proposed in Chapter 12 - Achieving well-designed places

**Paragraph 128** - We agree that all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area.

Meaningful community engagement at all stages of the planning process is essential if the changes proposed are to succeed. Too often, communities are not asked to engage with planning proposals until they are published and the formal approval process has started. By this time most of the key decisions have been agreed between the developer and the planner and it is too late for any meaningful consultation with the wider community.

**Paragraph 130** - We welcome the introduction of this new paragraph:

‘Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with local highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.’

We must learn to value our urban trees and woods growing in Bristol (and in other cities), so we were pleased to see this addition with the ambition to ensure that all new streets are treelined, but city-wide planning involving existing streets and road networks must also make space for new tree planting in the design process as well as ensuring that existing trees are retained.

Generally, planning requirements must be tightened to ensure that existing trees are retained. Only in exceptional cases where there are clear, justifiable and compelling reasons to do so should trees be removed. In all cases the cascading principles of the Mitigation Hierarchy must be applied and, where there is no option but to remove a tree, the loss of habitat and biodiversity that the tree provided must be compensated for by an adequate tree replacement calculation such as that used in the Biodiversity Metric calculation.

We agree that ‘development that is not well designed should be refused’ (paragraph 133). Designs that fail to make provision for preserving existing trees and providing new trees are not, in our view, *well-designed* and so should be refused.



## **6. The changes proposed in Chapter 13 - Protecting Green belt Land**

**New Paragraph 149** - We propose the deletion of this text, which is too general and open to interpretation. Certain other forms of development are also 'not inappropriate in the Green Belt provided it preserves its openness and does not conflict with the purposes of including land within it'.

In Bristol there are just over 596 hectares of Green Belt left within the metropolitan boundary, mostly confined to the few remaining green margins of the city. The last draft of the Local Plan proposed the removal of some 50 hectares for development. Already parts of the Green Belt are disappearing without any hint that this 'preserves its openness and does not conflict with the purposes of including land within it'. Little by little, development by development, Green Belt land is being lost.

## **7. The changes proposed in Chapter 14 - Meeting the challenge of climate change, flooding and coastal change**

**Paragraph 160 c)** - Tree preservation and the planting of new trees are key elements of 'using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management)' We would like to see text added that states this.

## **8. The changes proposed in Chapter 15 - Conserving and enhancing the natural environment**

**Paragraph 179 d)** - This states that 'development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around other developments should be pursued as an integral part of their design, especially where this can secure measurable net gains for biodiversity and enhance public access to nature'.

It is essential that core planning policies mandate a standard metric for measuring baseline and created and enhanced habitat biodiversity proposals. Developers must be obliged to provide a Net Gain calculation when submitting their proposals. The latest version of the [Biodiversity Metric](#) is designed for this purpose and should be mandated for all new planning proposals. All planning permissions should require the delivery of Biodiversity Net Gain plans of at least 10%.

## **9. We would be grateful for your views on the National Model Design Code, in terms of a) the content of the guidance b) the application and use of the guidance c) the approach to community engagement**

The design codes must deliver three key things to ensure that new developments always provide



access to high-quality, local green space and to trees, with all the benefits these provide for communities.

- **Protect and integrate existing trees**

New developments must incorporate and protect existing trees from the outset. There must be a presumption that the design will accommodate the existing trees growing on and around the site - especially those growing around the edges of sites. Designs should consider the long-term health of trees in and adjacent to new developments and aim to promote this. This will include providing adequate buffers for ancient, veteran and self-seeded trees and woods.

- **Increase canopy cover**

New developments must have a target of providing a combined minimum of 30% canopy cover on and off site. This should be made up of a mix of tree-lined streets, community woodlands, Tiny Forests, parks and gardens. Where tree provision will be made off site, the cost of providing, planting and caring for the trees on a long-term basis should be funded by the developer and incorporated into tree-specific S106 agreements (T&CPA 1990). Where possible, trees should be native and sourced and grown in the UK. Trees that will become large and are long-lived should be selected where possible.

- **Ensure trees thrive for the long term**

Local authorities must be properly resourced so that they can implement design codes and other areas of planning policy. Resource needs to be available for decisions to be enforced and to ensure long-term management of trees by tree officers.

- **Community engagement**

As we have already noted, meaningful community engagement is essential if communities are going to consider that they 'own' planning decisions rather than having them imposed on them.

We have published a paper on the issue as it relates to consultation on the management of trees which we commend to you: '[Community engagement in urban tree management decisions: the Bristol case study](#)'.

**3 March 2021**