

Bristol City Council Representation on Old Market Quarter Neighbourhood Development Plan

Bristol City Council congratulates Old Market Quarter Neighbourhood Planning Forum on submitting a complete Neighbourhood Development Plan (NDP). This representation is submitted on behalf of the council as Local Planning Authority.

The NDP appears to be, on the whole, a positively prepared plan that contributes to the achievement of sustainable development in Old Market Quarter.

One part of the NDP has been identified as conflicting with the strategic policies of the Local Plan. Elsewhere, certain parts of the submitted document have been identified as being unclear in status. Generally these are areas of concern that the council has raised with the neighbourhood planning forum at earlier stages and that have remained unresolved. They are addressed individually below.

Compliance of the Neighbourhood Development Plan with the Basic Conditions

1. Central Ambulance Station site

Nature of concern: Conflict with Local Plan

Policy **C14.9** of the NDP is not consistent with the recently adopted Bristol Central Area Plan policy BCAP37 (site KS05). The NDP policy sets out proposals and development considerations for the site that are incompatible with those set out in BCAP37. Furthermore, in identifying half of site KS05 as open space, the NDP proposes less development than provided for in the Bristol Central Area Plan.

Site KS05 is a 'key site' within the High Street, Wine Street and Castle Park area, which is one of six 'city centre places' of strategic importance that have been identified in the Bristol Central Area Plan due to the significant potential for change that has been identified there (Chapter 9, opening paragraphs, and section 9.3).

Policy BCAP37, appended to this representation, sets out clear proposals and development considerations for site KS05 covering matters such as the potential mix of uses, the relationship of the development with Castle Park, the relationship between Castle Park and the surrounding areas and the archaeological interest on and around the site. The proposals and development considerations set out in BCAP37 are necessary to maximise the sustainable development potential of the site while also supporting the vision and wider development and regeneration aspirations of the Bristol Central Area Plan and the Core Strategy. The development of the site has an importance and an impact that extends beyond the Old Market Quarter Neighbourhood Planning Area.

Policy C14.9 of the NDP does not recognise the requirements of policy BCAP37. It sets out proposals and development considerations for the site that are incompatible with those set out in BCAP37 and does not cover the full extent of site KS05, effectively reducing the developable area by half. The area to the north of 14.9 is then shown as open space in the NDP policies map. The combined effect of these provisions would be to severely limit the sustainable development potential of the site compared to that provided by BCAP37, contrary to paragraph 184 of the NPPF ("Neighbourhood plans... should not promote less development than set out in the Local Plan or undermine its strategic policies").

Recommend that the policy is deleted and the open space designation is removed.

Also recommend that references to the ambulance station site are removed from aspirational projects **TR1** and **PR6** and the medium-term aims set out in **Chapter 9**.

Observations on the potential to improve the clarity of the Neighbourhood Development Plan

Although these concerns may not go directly to the basic conditions, they are important concerns regarding the clarity of the submitted NDP.

2. Proposals outside plan boundary

Nature of concern: Clarity of status due to NDP attempting to act outside its legal power

The submitted document makes statements about areas outside its boundary, including:

- Potential future pedestrian and cycle routes set out at map under policy **T2**.
- Long-term development sites shown around Lawrence Hill Roundabout at map under policy **C7**.
- Wildlife corridors to west and east of plan area at map under policy **E3**.
- Medium and long-term aims concerning Castle Park and Lawrence Hill Roundabout as set out in **Chapter 9**.
- Aspirational projects **PR6** (Eastern Gateway to Castle Park), **TR1** (Study into long term connections) and **SD2** (Lawrence Hill Roundabout).

With the possible exception of the aspirational projects, these anomalies have the potential to create confusion about the status of the document and may lead to parties attempting to apply policies outside the plan boundary.

Recommend that references to sites and routes wholly outside the plan boundary are removed from the maps at policies T2, C7 and E3.

3. Status of 'Projects' chapter

Nature of concern: Clarity of status

The council has previously advised that the aspirational projects set out in **Chapter 8** are not deliverable solely by planning and should not be part of the development plan. The council's earlier recommendation was that the projects be moved to an appendix. Although some changes have been made to the plan, the neighbourhood planning forum has not fully followed this advice.

The council does not presently consider the contents of Chapter 8 to be part of the NDP. However, this is not presently made clear in the plan. Although section **3.3** of the NDP states that "this plan is followed by a series of aspirational projects", the message that the projects are not planning policies that could be used to decide planning applications is neither set out clearly there nor repeated at the start of Chapter 8. The confusion that this creates is evident in the formal representation received from the Highways Agency, which seems to pertain mainly to the impact these projects could have on the strategic road network.

Recommend that Chapter 8 is provided with introductory wording that puts it into context and clarifies that the projects are not intended to be planning policies.

4. Assessment of building quality map

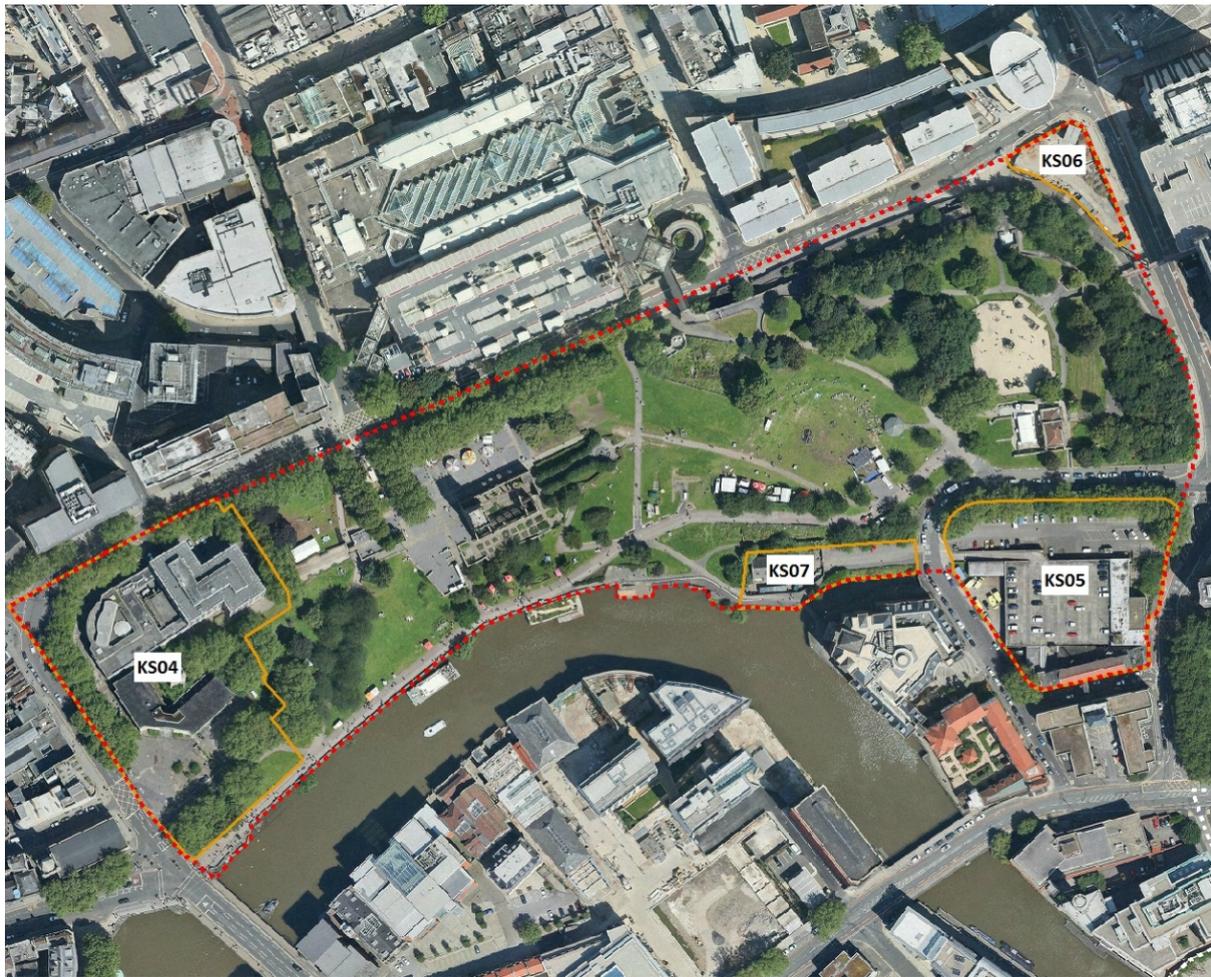
Nature of concern: Clarity of status

It is noted that the map appearing under policy **B1** is not consistent with the council's Conservation Area Character Appraisal revised building types plan (previously shared with the Neighbourhood Planning Forum) or the Central Area Context Study. There are buildings that the council regards as being heritage assets that are not shown and other categories where our opinions differ.

There is a risk that this inconsistency could lead to confusion on the part of developers.

Recommend that this type of map should not form part of a policy document, but should be part of the evidence base where it can be revised and updated over time.

Appendix: Bristol Central Area Plan (March 2015), Policy BCAP37



Policy BCAP37: High Street, Wine Street and Castle Park

Sites within the High Street, Wine Street and Castle Park area will be developed for a mix of city centre uses as part of the wider enhancement of Castle Park and its setting. Development will be expected to safeguard and enhance Castle Park and its heritage assets as a large, publicly accessible city centre open space and to explore opportunities to restore the historic character of the Old City and reveal and enhance other heritage assets within individual sites.

Development of sites within High Street, Wine Street and Castle Park that are at risk of flooding now or with climate change or are larger than one hectare in size should be supported by a Flood Risk Assessment.

St. Mary-le-Port

This site (Policies Map Site KS04) will be suitable for a mix of uses including retail, leisure and new homes. High quality hotel and office uses will also be encouraged as part of the mix.

The development will be expected to provide:

- A continuation of the retail function of St. Nicholas' Market towards Bristol Shopping Quarter, with an emphasis on providing an environment suitable for small and independent businesses;

- A reinstated Mary-le-Port Street to better connect Bristol Shopping Quarter and the Glass Arcade, including new pedestrian crossing provision across High Street. Opportunities should be explored to reinstate other historic routes through the area;
- Improved access and setting for the St. Mary-le-Port Church tower, which may take the form of a new public space, and improved access and setting for the High Street vaults, both of which are Scheduled Ancient Monuments;
- A strong relationship with Castle Park, including a properly designed transition between the redeveloped area and the park, providing surveillance and active ground floor uses fronting onto the park and the quayside walkway;
- A high quality new built form and pedestrian environment in High Street and Wine Street, including measures to reduce the impact of traffic such as traffic calming or a shared space solution. This must recognise the need to maintain a balance between the needs of development and the retention of the existing and important green infrastructure on and around Wine Street/High Street/Bridge Street. Opportunities should be explored to reduce the width of both streets to more closely resemble their historic proportions.

Development exceeding existing building heights that responds appropriately to the local context and respects important existing views will be acceptable.

Central Ambulance Station

A mix of uses including leisure and new homes or other supporting city centre uses will be suitable on this site (Policies Map Site KS05). The development will be expected to provide:

- A strong relationship with Castle Park providing natural surveillance and active frontages fronting onto Castle Street, Queen Street and Tower Hill;
- An improved gateway to Castle Park from Castle Street/Queen Street including measures to reduce the impact of traffic along these streets such as shared space solutions;
- An improved approach to Castle Park from the southeast;
- Opportunities to explore enhancements to the vaulted chambers of Bristol Castle, a Scheduled Ancient Monument within Castle Park and the Godwin Building fronting Marybush Lane;
- An appropriate response to the archaeological interest represented by the Castle Ditch/Moat running below the site. Opportunities should be explored to reveal this heritage asset and incorporate it into the development.

Land at Lower Castle Street and Broad Weir

This site (Policies Map Site KS06) will be suitable for retail, retail related or community use complementary to the retail function of Broadmead and Cabot Circus. Opportunities should be explored to provide a new gateway into Castle Park from the site.

Land to the west of Castle Street/Queen Street

This site (Policies Map Site KS07) will be suitable for new homes. Development will be expected to provide an improved gateway to Castle Park from Castle Street/Queen Street including measures to reduce the impact of traffic along these streets such as shared space solutions.