

Bristol Local Plan Examination

Written Statement

Matter 4: Development Strategy and Site Selection Process

**Sovereign Network Group
(Participant ID 461)**

1. Sovereign Network Group (SNG) submits this Statement in relation to the following Issue identified under Matter 4 of the Inspector’s Draft Matters, Issues and Questions (IN4a):

Issue 4.6: Whether the proposed site allocations are justified taking into account the reasonable alternatives, effective in terms of deliverability and consistent with national policy in enabling sustainable development?

2. For context, SNG has engaged with the draft Bristol Local Plan at all stages of the emerging Plan process. A copy of the representations submitted during the most recent Regulation 19 consultation can be found at the following link as respondent number 461 and as part of a group submission under respondent number 486:
<https://www.bristol.gov.uk/files/documents/7679-240508-catalogue-of-representations-received-may-24/file>
3. In tandem with this Statement SNG have submitted a separate response to Matter 2. To avoid repetition this submission cross-references to that Statement where appropriate.
4. Bristol City Council’s (BCC / the Council) has not demonstrated that the proposed site allocations are justified, effective, and consistent with national policy. We explain this below via the Council’s evidence relating to two sites owned freehold and promoted by SNG through the emerging Plan process for residential redevelopment. Neither of these sites are proposed as allocations in the submitted Plan, despite the Plan falling short of planning to accommodate objective assessed need. These sites are listed below. The references cited are taken from the Strategic Housing Land Availability Assessment (SHLAA) dated April 2024 (EVEH01).
 - *REP461a: Land at Castle Court, St. Philips Causeway, Arno’s Vale; and*
 - *REP461b: Land at Tramway Road, Brislington.*
5. This Statement seeks to respond in particular to Question 4.27 under the above Issue, which starts as follows:

Q4.27: Are the proposed allocations identified by policies DS11, DS12, E4 and DA1 justified as appropriate when considered against reasonable alternatives and would they be consistent with national policy?

6. A number of sub-questions are set out under the lead question. This submission reflects on each sub-question in turn.
7. In summary, the proposed allocations are not justified as the Council has not considered all reasonable alternatives when identifying proposed allocations.

a) Does the evidence demonstrate that the sites have been selected based on a robust, consistent and objective basis? What criteria were used to identify suitable sites and are the reasons for selecting some sites and rejecting others clearly set out and justified?

8. The evidence does not demonstrate that the sites have been selected based on a robust, consistent and objective basis. The reasons for rejecting other sites are not clearly set out nor justified. To avoid repetition, we politely request that the Inspectors review SNG's response to Q2.3a within the Written Statement responding to Matter 2.

Transport Issues

- b) In terms of highways, have the individual and cumulative effects on the transport network been robustly assessed?
- c) What transport infrastructure, or other mitigation schemes, have been identified that would address any identified transport issues? Has the likely effectiveness of proposed transport mitigation schemes been assessed?
- d) Are there any outstanding concerns on transport matters (either individually or cumulatively) from National Highways or any other relevant transport authority?

9. As set out in SNG's response to Matter 2, the Council's SHLAA has not assessed sites, and instead simply described them. The Council have openly stated for a number of sites that are not included as allocations (such as those included in Appendix C of the SHLAA, which includes Castle Court and Land off Tramway Road) that there are no policy reasons why these sites could not come forward during the plan period but they have not been counted toward the housing supply. By not accounting for the full breadth of potential development in their highway modelling, which is based on both 1,300 and 1,500 new homes per year (Page 7 of EXA024a), far below the 2023 standard method requirement of 3,380 dwellings per year, there is no clear understanding by the Council on the highway impacts of all new development that could come forward over the plan period.
10. Furthermore, in the absence of testing any reasonable alternatives, it is impossible to tell how the proposed submission Local Plan compares to reasonable alternatives in relation to transport issues.
11. As a result the individual and cumulative effects on the transport network, insofar as they relate to housing provision over the plan period, have not been robustly assessed.
12. In response to 'c', we ask the Inspectors to consider the complexities (in terms of coordination, funding and spatial planning) associated with highway infrastructure that would be required in advance of significant delivery of homes within the proposed Areas of Growth and Regeneration (AGR). For example, the Council's SHLAA description of DS4 Western Harbour states that *"Development potential in the area is dependent on the reconfiguration of the present network of aging and outdated roads and bridges to create a simpler system, and the capacity of the area for SHLAA purposes is limited until the future shape of the road system is determined."* Similarly, the description of DS6 Lawrence Hill states that further potential for the development in the area is *"dependent on the reconfiguration of highway infrastructure, principally Lawrence Hill Roundabout and its approaches."*
13. These AGRs propose major changes to highway infrastructure which would need to be assessed and mitigated to enable to come forward in much of these areas. Regardless of these clear highway infrastructure constraints these areas are still included in the draft Local Plan as AGRs and counted toward the Council's housing supply.

14. In contrast, the Council has overlooked sites (without justification), such as Castle Court and Land off Tramway Road, which would not require any new strategic highways infrastructure and are in locations which naturally support non-car based travel. As demonstrated within the Vision Document submitted with the Regulation 19 representations for Castle Court (DA1 Representations: Appendix A as available at the following link: <https://files.smartsurvey.io/a/VV7Q1CGX/DA1%20-%20SNG.pdf>), an initial review of transport and highways matters was undertaken by Hydrock in the context of the site's potential redevelopment. This confirmed that the close proximity of services (such as Sainsburys and the Avonmeads Retail Park) would encourage travel by walking and cycling, and that the closest bus stop on Bath Road (within 300 metres and accessed by a continuous footway) would encourage travel by public transport. The site also benefits from an existing vehicular access which has been considered acceptable for the proposed scale of development at the site. Further, a low provision of private car spaces would discourage residents from relying on the use of a private car for transport. Similar measures would be introduced at Land off Tramway Road. These factors contribute to the position that Castle Court and Land off Tramway Road should be allocated within the draft Plan as the transport effects of the sites would not be significant and would not require strategic-level mitigation, unlike the AGRs noted above.
15. With regard to 'd', the Council's Transport Development Management team were consulted at the pre-application stage with regard to the proposed development of Castle Court. TDM did not present any in-principle objection to the development of Castle Court within this feedback. There are no known concerns from Highways England or BCC as Highways Authority regarding either Castle Court nor Land off Tramway Road.
16. There are, therefore, other sites, such as Castle Court and Land off Tramway Road which are reasonable allocations which have not been comprehensively assessed by the Council through the production of the Local Plan.

Flooding and drainage issues

e) Has the selection of sites, and the spatial strategy, been informed by a Strategic Flood Risk Assessment based on up-to-date flood risk data and climate change allowances, taking advice from the Environment Agency?

f) Has a sequential risk-based approach been taken to identifying the spatial strategy and specific allocations, as required by paragraph 161 of the NPPF? Are any locations identified for growth within Flood Zones 2 and 3? If so, has the exception test been carried out and are the conclusions justified?

g) Notwithstanding specific questions relating to Policy FR2, to what extent is the spatial strategy and delivery of housing and employment dependent on the delivery of the Bristol Avon Flood Strategy? What status does this project have and what is the delivery timescale?

17. It is understood that the Council has prepared a Strategic Flood Risk Assessment and this forms part of the evidence base at EVEF01 and EVEF02. The Council has also published a 'Flood Risk Topic Paper' (TPC002) in which the Council refers to sequential testing.
18. Considering 'e' and 'f' together, the Council has not appropriately used its SFRA to apply a sequential risk-based approach to its allocations or the AGRs. For example, a number of sites, which are listed at Appendix 1 of the Topic Paper, fall within Flood Zones 2 and 3 but have been listed within the SHLAA and then carried through as draft allocations, while sites that have been submitted for consideration that fall in areas of lower risk have not been proposed for allocation.
19. The Council has recognised in their description of draft policy DS2 Bristol Temple Quarter that *"there are very significant areas in Flood Zones 2 and 3"* within this area, and alludes to the emerging proposals for tidal flood defences which would provide benefits for this area. The deliverability of this area is therefore subject to significant flood risk constraints that would need significant investment to mitigate before it can be considered sequentially preferable to other sites.

20. Further, the policy text for a number of the Areas of Growth and Regeneration defer the undertaking of the Sequential Test to individual applications. This presents risk for the housing numbers identified by the Council over the plan period. It has counted dwellings provided by allocations in areas at risk of flooding without sequentially testing them against reasonable alternatives. By not sequentially testing sites now, when an application comes forward at a site in the future, it could fail the sequential test and therefore those numbers would be lost from the pipeline.
21. To provide an example of the failure to sequentially test reasonable alternatives, the evidence submitted by SNG regarding the Castle Court site at Regulation 19 stage included a Flood Risk Assessment and a Drainage Scoping Assessment (Appendix G of SNG’s Representations to Draft Policy DA1 available at the following link: <https://files.smartsurvey.io/a/VV7Q1CGX/DA1%20-%20SNG.pdf>). As set out within that document, the only area within the red line at risk of flooding from rivers and the sea is located on the river bank which would not be built upon. The rest of the site lies within Flood Zone 1 and therefore the application of the sequential and exception tests would not be required. Land off Tramway Road is also located in Flood Zone 1. Despite this, neither site has been preferentially allocated over other sites at greater risk of flooding.

Other matters

- h) How were effects on air quality and the presence of air quality management areas (AQMA) taken into account in site assessment? Are any allocated sites within an AQMA and how does the Plan ensure such development would be acceptable?
- i) How were the effects on open space and green infrastructure assessed? For example, on what basis was it determined that some allocations did not need to be retained as part of the City’s green infrastructure / open space provision?
- j) Were other factors such as the effect on landscape character, biodiversity and heritage appropriately taken into account as part of the site selection process?
- k) How was appropriate mitigation for the impacts of development, individually and cumulatively, identified and is this adequately reflected in relevant policies?
- l) Has the deliverability of allocations been appropriately assessed, having regard to infrastructure provision and other policy requirements?

22. Considering sub-questions 'h', 'i', 'j', and 'k' together, there is no evidence that these factors have been taken into account in the Council's process for considering and allocating sites. The vast majority of sites included within the SHLAA (EVEH01) are simply described, not assessed. There is no scoring methodology or matrix of scores within the SHLAA that clearly demonstrates why certain sites have been allocated over others. The methodology that the Council has utilised within the SHLAA makes it impossible to compare the individual sites against one another on an objective basis.
23. Outside of the SHLAA, and as noted within SNG's response to Matter 2, the Council has also failed to assess reasonable alternatives for site allocations within its Sustainability Appraisal with regard to the criteria identified within these questions. SNG has undertaken its own SA of the submitted sites (Appendix C and Appendix F of SNG's Regulation 19 Representations which are available at the following link: <https://files.smartsurvey.io/a/VV7Q1CGX/DA1%20-%20SNG.pdf>). Neither site attracted negative scores, unlike a number of sites which were assessed within the Council's SA (CSD004d) which have been proposed as draft allocations. This demonstrates that when an objective matrix is used to assess sites there are others than those the Council has allocated which should be allocated.
24. With regard to 'h', while Castle Court and Land off Tramway Road are partially located within the Bristol AQMA, both sites would include a low provision of private car parking spaces and would be located within close proximity to bus routes. The development of these sites would support active and sustainable modes of travel and therefore have a limited impact on air quality once occupied.
25. With regard to 'i', neither Castle Court nor Land off Tramway Road would result in the loss of open space. Any impacts on existing green infrastructure would be mitigated through design and mitigation measures incorporated within the scheme.

26. With regard to 'j', neither site is located within a conservation area or a protected landscape area. Both sites are previously-developed brownfield sites where existing biodiversity would be limited, and the provision of a net gain in biodiversity units would be required regardless. A Historic Environment Desk-Based Assessment was prepared for Castle Court and submitted to the Council at Regulation 19 stage (Pages 107 to 168 of SNG's Representations to Draft Policy DA1 which are available at the following link: <https://files.smartsurvey.io/a/VV7Q1CGX/DA1%20-%20SNG.pdf>). The report concluded that there were "no overriding historic environment constraints that would prohibit development".
27. With regard to sub-question 'L' the deliverability of allocations has not been appropriately assessed. The Council's SHLAA makes little reference to the deliverability of the sites that it has proposed for allocation. For example, a number of sites are described to not have planning permission but are still 'expected' to come forward at a certain point within the plan period. No evidence is provided by the Council to demonstrate why the Council believes that these sites would be deliverable and would come forward during the plan period.
28. The information provided to the Council by in relation to SNG's sites demonstrate that these sites are deliverable and developable. For Castle Court, in particular, Appendix A of SNG's Regulation 19 Representations (available at the following link: <https://files.smartsurvey.io/a/VV7Q1CGX/DA1%20-%20SNG.pdf>) demonstrates a potential way that scheme could be delivered and Paragraph 13 of SNG's Written Statement for Matter 2 demonstrates the extensive pre-application engagement SNG had with the Council regarding the development of the site. This confirms SNG's intentions for the site, demonstrating its deliverability and developability.
29. Turning back to the original Issue, there are appropriate and sustainable sites for redevelopment (such as Castle Court and Land off Tramway Road) that the Council has not fully assessed nor allocated within its draft Local Plan. The failure to assess and allocate these sites demonstrates that the Council's methodology for allocating sites is not justified.

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