

**FOR INFORMATION TO THE 31ST JULY 2014 PLACE SCRUTINY
COMMISSION - AGENDA ITEM 14**



Scrutiny Commission Referral Form

Referral from:
Sustainable Development &
Transport Scrutiny Commission
27th March 2014

To: Mayor and Assistant Mayor
Transport, Planning, Strategic Housing
and Regeneration

Date: 16th April 2014

**Subject: Scrutiny Inquiry: Impact of Cribbs Patchway New
Neighbourhood (CPNN) on Bristol**

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1. Reason for referral

The Commission hosted an Inquiry on 27th March 2014 about the potential impact of the proposed New Neighbourhood at Cribbs Patchway (CPNN) on the city. A diverse range of stakeholders including councillors, community retail and transport groups, specialist professionals and Council officers were invited to take part at the public meeting and the workshop discussions (47 in all attended).

The Inquiry's main aim was to address the question:

- What can the Council and its partners do to influence the development and ensure that it is mitigated sufficiently and is sustainable from a Bristol point of view ?

The questions for the group discussions to address were:

- How can the Council influence the implementation of the Supplementary Planning Document and associated developments?
- What lessons can we learn from the process so far?
- What are the 5 key priorities the Commission should be taking forward as potential recommendations to the Council and its partners?

2. Recommendations

The Inquiry summarised the group priorities and proposed some draft recommendations which the Commission has agreed and finalised as attached. The Mayor and Assistant Mayor are requested to consider and respond to the attached recommendations; they are also being sent to the Leader and Cabinet member at South Gloucestershire Council, and the Chairs of the Local Enterprise Partnership and West of England Joint Scrutiny Committee for information.

In addition, the recommendations will be sent to the appropriate Government Department.

4. Accompanying papers (as attached)

Recommendations from the Sustainable Development & Transport Scrutiny Commission 27th March 2014

Agenda Item 14

BRISTOL OVERVIEW AND SCRUTINY

The Report of the Inquiry: Impact of the Cribbs Patchway New Neighbourhood Development (CPNN) on Bristol

Final Report of the Sustainable Development and Transport
Scrutiny Commission: May 2014



*The report sets out
recommendations to
the Mayor and
Assistant Mayor on
the implementation
of the CPNN
Development*

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Executive Summary and Recommendations

Bristol City Council's Sustainable Development and Transport Scrutiny Commission is responsible for contributing to policy development and monitoring the Executive's actions. It hosted an extraordinary public Inquiry meeting on 27th March 2014 to consider the impact of the proposed Cribbs Patchway New Neighbourhood development on Bristol. This major development of 5700 houses and 50 ha of employment land from Cribbs Causeway through to Filton airfield is already agreed in South Gloucestershire Council's spatial plans and the Council has produced a master plan for the area which was agreed in March.

There is widespread local public and political interest in the development and the Scrutiny Commission agreed to host the Inquiry with key stakeholders including councillors, community, retail and transport groups, specialist professionals and Council officers (47 in all attended). The Commission agreed the following recommendations addressing the Inquiry's aim and objectives:-

The Inquiry's main aim was to address the question:

- What can the Council and its partners do to influence the development and ensure that it is mitigated sufficiently and is sustainable from a Bristol point of view ?

The main objectives were to:

- Assess the current situation on the planning strategy and associated planning applications
- Identify ways in which the Council can influence the implementation of the Supplementary Planning Document and associated developments
- Learn lessons from the process
- Make recommendations as necessary to be taken into account in the Council's and its partners' approaches to the development of the new neighbourhood and the mitigation of its impacts

A: On Future Large Scale Border Development

The Inquiry highlighted concern that when an authority proposes a major development on the boundary of a neighbouring authority, too often the concerns of the neighbouring authority are either dismissed or taken lightly. This is a wider concern than the current CPNN development and steps should be taken across the West of England to try and remedy this situation. As such the following recommendations are proposed:

1. Establish a protocol between neighbouring authorities for major developments or developments with a major impact in order to facilitate consultation and agreement on local concerns and mitigations. This should be reflected in South Gloucestershire Council's Statement of Community Involvement (currently out for consultation) which should include a clear statement and principles about cross-border consultation on issues like this.
2. This protocol should ensure that when decisions being made on which mitigations are to be funded, from either CIL or S106, that officers of the neighbouring authority are included in the final discussions and decisions. The final say should not be left to the developing authority alone and should be reached by mutual consent on a comprehensive basis, having regard to the impacts of the whole development allocation.
3. A protocol be established in order to ensure that developers and Councils proactively institute early communications with the wider community/relevant stakeholders on up and coming proposals. This should include greater transparency and sharing of factual information and assumptions, including the evidence on which those assumptions are made. Communications should not be solely electronic.
4. Mitigation proposals should be directly communicated between both the developing authority, neighbouring authority and also the developers so that all parties are aware of all concerns.
5. Major developments of this nature should feature on Joint Scrutiny and West of England Partnership agendas.
6. It is noted that the core strategy is agreed with the mutual consent of the neighbouring authority; however, Supplementary Planning Documents, even if cross-border, require no such consent. The Government should therefore be lobbied for planning regulations to be changed to close this loophole.

B: General Principles of Development

The Inquiry agreed some general principles that should be used to inform planning permissions to be granted on the CPNN – There are several recommendations that it believed should become both the regional standard and be applied to the CPNN. At the moment only outline planning permissions are being submitted and this presents an opportunity for South Gloucestershire to influence the final design. As such Commission makes the following recommendations:

7. Sustainable Urban Drainage Systems are to be of the highest quality and incorporated at the outset of all developments and not bolted on in order to mitigate the risk of flooding in Bristol.

8. Sustainable energy and construction – the quality of construction should be of the highest environmental standard possible and not the minimum required.
9. Apprentices should be factored in to all planning permissions and at every opportunity developers should use local labour. Some developers already have a good reputation in this area, this existing good practice should be encouraged and built upon to up skill the local workforce.
10. Essential services – Proposals for major developments should factor in the impact on essential services such as education and health and these should be provided at the point at which they are needed. Existing trigger points should be under permanent review as the exact nature of the incoming population will not be known until they have arrived. Facilities should be delivered as early as possible to prevent stress on existing services.
11. Bristol City Council as Planning Authority for North Bristol must ensure that it applies the same exacting standards that it wishes South Gloucestershire Council to apply.

C: Cribbs Patchway New Neighbourhood Specific Proposals

These are recommendations specifically proposed to be taken into account for the CPNN development:

12. Railways – All funding options be explored for bringing forward MetroWest Phase 2 as soon as possible. This should include the exploration of developer contributions to help plug any funding shortfall currently anticipated in the schemes finances.
13. Further provision of Park and Ride within the CPNN development should be explored. The transport and traffic impacts on the communities of North Bristol are massive and all steps to offer public transport alternatives should be encouraged.
14. Existing traffic situations that force traffic south onto Bristol roads should be reviewed and where possible removed.
15. Bristol City Council should take legal advice on avenues open to the Council to seek recourse should developments have a detrimental impact on locations/communities in Bristol.

1. Introduction

At its 13th February 2014 meeting, the Sustainable Development and Transport Scrutiny Commission discussed the potential impacts on Bristol of the major development of 5700 houses and 50 ha of employment land from Cribbs Causeway through to Filton airfield. The development is already agreed in South Gloucestershire Council's spatial plans and the masterplan for the area was agreed by their Planning, Transportation and Strategic Environment Committee on 26th March (see minutes at [SGC Committee](#)).

As there was widespread local public and political interest in the development, the Commission agreed to host an extraordinary public inquiry meeting with key stakeholders to consider the issues arising from both the consultation process and the masterplan decision. The inquiry was held on 27th March at Armada House in Bristol and a range of people and organisations were invited including councillors, community, retail and transport groups, specialist professionals and Council officers (47 in all attended; attendance list at Appendix 1).

Council officers introduced the key topics of the planning context, transport, employment and flood risk (see presentations at [CPNN Inquiry](#)) and then the participants broke up into small groups to discuss agreed questions in more detail. Each of the 6 groups then proposed their 5 top priorities for the plenary session to consider and agree for the Commission to take forward (programme at Appendix 2).

Following the inquiry, the Commission agreed and finalised its recommendations and they have been sent to the Mayor and Assistant Mayor for Transport, Planning, Strategic Housing and Regeneration to consider and respond to; they were also sent to the Leader and Cabinet member at South Gloucestershire Council, and the Chief Executive and Chair of the Local Enterprise Partnership and the West of England Joint Scrutiny Committee for information. In addition, the recommendations will be sent to the appropriate Government Department.

2. Aims and Objectives

The Inquiry's main aim was to address the question:

- What can the Council and its partners do to influence the development and ensure that it is mitigated sufficiently and is sustainable from a Bristol point of view ?

The main objectives for the Inquiry were to:

- Assess the current situation on the planning strategy and associated planning applications
- identify ways in which the Council can influence the implementation of the Supplementary Planning Document and associated developments
- learn lessons from the process
- Make recommendations as necessary to be taken into account in the Council's and its partners' approaches to the development of the new neighbourhood and the mitigation of its impacts

3. Key Themes and Recommendations

Each group was facilitated by an experienced officer and they noted the key points from their group, then summarised the 5 priorities to feedback to the plenary session. Appendix 3 summarises these points and priorities by group and the Executive Summary and Recommendations outline the key priorities and recommendations agreed by the Commission following the Inquiry.

Attendance List

Name	Organisation
Alastair Watson	Councillor
Anthony Negus	Vice Chair Commission
Christian Martin	Commission
Claire Hiscott	Councillor
David Willingham	Commission
Mark Bradshaw	Assistant Mayor
Mark Weston	Chair Commission
Mike Wollacott	Commission
Steve Pearce	Commission
Tess Green	Commission
Alan Aburrow	Henleaze, Westbury -on-Trym, Stoke Bishop Neighbourhood Partnership
Alan Piper	BS10 Parks and Planning Group
Alison Devonshire	BS10 Parks and Planning Group
Alistair Cox	Service Manager City Transport Bristol City Council
Ash Bearman	Community Development Shirehampton Community Action Forum (SCAF)
Ben Bennett	Programme Director, Strategy & Development NHS South West Commissioning Support
Christina Biggs	FOSBR
Colin Chapman	Local Plan Team Manager Bristol City Council
Craig Hyslop	Sport & Health Development, Environment & Leisure Services Bristol City Council
Daron Devonshire	Henbury and Southmead Neighbourhood Partnership
Dave Redgewell	South West Transport Network

Name	Organisation
David Mayer	Henleaze, Westbury -on-Trym, Stoke Bishop Neighbourhood Partnership
Gavin Smith	Transport for Greater Bristol
Helen Pillinger	Horfield/Lockleaze Neighbourhood Partnership
Ian Bell	Place Planning Manager People Directorate
Jane Cunningham	Horfield/Lockleaze Neighbourhood Partnership
John Dixon	Rail Futures
John Gornall	BS10 - Parks & Planning Group
Julie Boston	FOSBR
Keith Houghton	Area Co-ordinator, Bristol City Council
Ken Simpson	Federation of Small Businesses
Kevin Morley	Planning Officer Bristol City Council
Martin Garrett	Transport for Greater Bristol
Martin Hunt	Gloucester Rd Traders
Mike Drysdale	Henleaze Business Association
Neil Embleton	Planning Advisor Bishopston Society
Patrick Goodey	Flood Risk Manager Bristol City Council
Paul Chick	North Area Team Manager Bristol City Council
Robin McDowell	Team Manager Economy and Enterprise Bristol City Council
Roger Sabido	Lawrence Weston Neighbourhood Planning Group
Sarah O'Driscoll	Service Manager City Planning
Shana Johnson	Democratic Services Manager Bristol City Council
Shirley Phillips	Vice chair, Henleaze Society
Sian Parry	Scrutiny Officer Bristol City Council
Steve Arthur	Wessex Water
Steve Barrett	Horfield/Lockleaze Neighbourhood Partnership
Zoe Willcox	Service Director Planning and Place Strategy Bristol City Council
Observers	
Brian Glasson	Head of Strategic Planning, South Gloucs Council
Mike Luton	South Gloucs Council Principal Planning Officer Major Sites Team

Inquiry Programme: Impact of Cribbs Patchway New Neighbourhood on Bristol

5.45pm	Registration/ tea and coffee	
6:00pm	Welcome and Programme	Cllr Mark Weston, Chair of Commission
6.05pm	Public Forum relating to the Inquiry	Cllr Mark Weston
6.35pm	Background and Context	Colin Chapman, Local Plan Team Manager Bristol City Council
6.45pm	Flood Risk	Patrick Goodey, Flood Risk Manager Bristol City Council
6.55pm	Transport	Alistair Cox Service Manager City Transport Bristol City Council
7.10pm	Economy and Enterprise	Robin McDowell Team Manager Economy and Enterprise Bristol City Council
7.20pm	Small group discussions	
8.00pm	Plenary: feedback from small groups and draft recommendations	
8.25pm	Way forward	Chair
8.30pm	Close	

Feedback from Group Discussions

Group 1

Five Priorities:

1. Obtain a contractual agreement, backed by indemnity, confirming that all consequential works and legal responsibilities arising within the Bristol City Council boundaries from the development at CPNN are fully funded by South Gloucestershire Council. For example (but not limited to) fines arising from failure to meet European Air Quality criteria as well as construction works associated with Traffic problems and Flood risk mitigation etc.
2. A “joined up” planning and planning approval process of equal partners in the manner of a Combined Authority.
3. Earlier delivery (revised trigger dates) of the infrastructure within and associated with the CPNN development including, but not limited to: –
 - a. Henbury Loop
 - b. Three stations serving the Henbury loop including Charlton Halt
 - c. Electrification of the rail infrastructure
 - d. Education facilities
 - e. Health facilities
 - f. Retail facilities
 - g. Recreation facilities
 - h. etc
4. The design of all aspects of the CPNN development confirms, and is backed by indemnity from South Gloucestershire Council, that the Flood Risk to Bristol is not increased by this development.
5. It has been shown that the CPNN will generate between 600 and 6,000 jobs by 2026. The Development will accommodate between 12,000 and 20,000 residents requiring jobs. Where will these people find employment? Does the SPD confirm that this development is merely a dormitory town expecting to find employment within Bristol in competition with the residents of Bristol? South Gloucestershire Council should be required to demonstrate

what provisions are in place to create employment within South Gloucestershire to meet the needs of the CPNN development.

Group 2

Five Priorities:

- 1) A proper vision be developed for Park & Ride to alleviate trips in Bristol. Clifton Rugby Club and North Filton Railway Station were possible sites.
- 2) The standards of energy regeneration should be far beyond the normal standards.
- 3) Abolish SGC and form an Integrated Transport Authority so that there is better funding and proper engagement with communities.
- 4) The commercial value of rail serving the developments should be a motivation for developers to provide funding.
- 5) Schools should be in place at the right time needed so that habits are not formed to travel elsewhere.

Group 3

- Clarity on bus sites?/stops and timescales not present
- SGC and BCC – political differences/lack of understanding of traffic impacts and sustainability – will joint group work?
- Directors – Head of Planning not allowed to speak – were they invited to come?
Offered To speak
- Dave Redgwell – wants to protest to Mayor
- Movement into/out of Employment Areas – not planned holistically
- ‘No Higher Court’ – what happens if changes not accepted by SGC

- SGC will not provide mitigation measures – ‘Duty to co-operate with neighbour local authorities’ – in planning prep. And implementation – Appeals?
- Flood risk – mitigation must address:
 - Bus and rail networks – no boundaries– bus services amended on Fishpool Hill without consultation of BCC
- W.E Transport Board/Planning and Housing Board
- SPD should have gone to these – joint arrangements – are they working out and is there due process?
- Over-reliance on Aerospace – EADS and French ownership – no eggs in same basket
- Two LAs not co-operating closely enough on Transport and Sustainability – if conflict of movements across boundaries and W of E
- Rail is ‘too late’ as a solution – Henbury Loop too late in timescale – 2 LAs must work to move it forward.
 - Even if Henbury Loop available now – still unsustainable
 - Fear of NOT learning lessons from Bradley Stoke – 20 years ago
 - Developers NOT putting in infrastructure early enough
- Focus on bus services
 - More control over operators and ‘modal shift’ to reduce car use
- Traffic Control Centre not joined up and synchronised

Top 5 Priorities

1. Who will arbitrate in event of non-agreement – Mayor and Leader of SGC – to hold ‘summit’ and give steer to the 2 Boards
2. Timing and phasing of housing developments – position that the development cannot start until transport issues / solutions are agreed. Can we actually stop the planning applications?
3. Schools – gridlock
4. Evidence that house-building will be more self-contained as communities and NOT travel into Bristol
5. Sustainable Urban Drainage System must be specified – S106 process – Skanska – we have chance to insist on this – Environment Agency role

Group 4

- Bristol officers to be more involved in S106 and CIL discussions with the developers and SGC
- Infrastructure delivery plans
 - Not just transport but social infrastructure eg. schools, facilities
- SGC masking the input of officers due to the need to keep the money
- Relationship is more parasitic than synergistic!
- BCC get tougher
- How to address this
 - Through developers
 - Councillors – is a CIL liaison group
 - Intervention at SoS level
- Developers keen to engage
- BCC officers to emphasise that the S.G. and developer's assessments are incorrect
- Struggling with legal route to access funding and influence to look for examples from good practice elsewhere
- Healthcare: how can we estimate the extra traffic Southmead Hospital will generate to mitigate the impact of this?
- Commission to monitor progress of officer/councillor interaction
- Ask S106 to consider funding non-road? Mitigation
- list priorities and give evidence as to our requirements

Top 5 Priorities:

(1st version)

1. Non-road impacts investment in mitigation through S106
2. Infrastructure delivery plan
3. Better cross boundary working with officers and politicians – (beef up existing)
4. (crossed out)
5. Encourage officer liaison with developers and encourage more senior politician pressure

(2nd version)

1. Examples of good practice and present examples and Mayor
2. Non-road transport infrastructure from S106
3. Wider infrastructure delivery plan (healthcare etc)
4. BCC officers to liaise directly with developers
5. SUDS and sustainable development (Milton Keynes)

Group 5

What can we learn from the process so far?

Lessons learnt

- Develop clear and accessible strategic overview of the project – information in one place easily accessible
- Look for consensus between competing interest groups – building consensus
- More consultation between councils and general public earlier – SPD delivery time was very short to the public
- Economic development versus environmental impact. Weigh carefully in terms of potential detriment to communities. Councils/politicians should be more circumspect about economic development at any cost to the local environment

e.g. Memorial Ground, Gloucester CCC. N. Bristol already at gridlock. Need more liaison between BCC/South Glos on sport/leisure

- 'United voices' do get listened to – can change things!
- Consistency of info / consultation / message – align our asks so we are all singing from the same hymn sheet
- Use influence and co-operate as we are not the Planning Authority. That influence and co-operation is the only way Bristol will be listened to
- 'Use evidence'
- Ensure a co-ordinated and clear response to facilitate those who can affect the process (Mayor/ councillors etc)

How can the Council Influence the SPD and Developments?

1. Heavy transport solutions.
Must secure adequate funding to mitigate the transport impact – from developer/SGlos and the LEP – agree priorities – S106 at each phase for Bristol.
Press for improvements to transport infrastructure asap
2. 'Sustainable development' and urban drainage. High level ask – 'an exemplary place'
Must be a sustainable development – lobby hard for SUDS (no tanks)–protection from flooding
What does 'sustainable' mean?
Overall energy strategy – community energy systems to improve sustainability – low energy houses
3. Protocol on agreed way of working between/with officers/members both councils
Close working officers in different depts. Of 2 councils – have expertise? For better outcomes
Working closely with S.Glos colleagues to offer knowledge/expertise wherever its beneficial/supplementary
More political communication between two authorities
Lobby to ensure there is a clear understanding of the nature of sustainability across LAs
There needs to be clear cross-border understanding of the transport issues that face Greater Bristol
4. More info on whats happening: – accessible; –not just electronic; transparency
Bristol should work closely with S Glos and be more firm with the wishes of their citizens and help the citizens more by being more transparent

5. Not segregated usage – community sustainability , more mixed use
‘long term’ we are part of making it work
Mixed use housing development – avoid using segregation to create integrated society and minimise travelling to work

Group 6

Process So Far

- Developers have to consult
 - Skanska – lots of consultation – responded
 - Persimmon: did consultation 3 years ago – refused to re-consult
- Concern about traffic flow?
- Sth Glos modelling now reflects Bristol opinions
- Modelling work hasn't been communicated clearly across north of city
- Does modelling include 20mph impacts?
- Much earlier consultation with Bristol CC and residents by SGC
- Joint working
- Some SGC officers consider Bristol opinions shouldn't be taken into account!
- Have established protocol for joint working. Cross boundary (including consult cross boundary at all stages)
- Integrated Transport Authority
- Earlier presentation/ engagement from BCC to affected northern NPs
- Duty to co-operate doesn't include SPD
- Recommend DtoC includes all cross boundary work
- Mitigation packages should be by mutual agreement
- Require consultation with Bristol via statement of community involvement
- Skills Academy – S106 – prioritise use of local labour and apprenticeships. Cross border development

- Rail: 2021 – MetroWest phase 2: all opportunities explored to bring Phase 2 forward – including developer contributions
- Are there sufficient hospital places? (NHS specialist – small impact on hospital; main impact is on primary care)
- Ensure SUDS part of comprehensive development

Notes

- Should be four signatories on S106 agreements – not just bystanders
- The more we can agree top asks with Members/Communities, more S Glos will listen
- George Ferguson’s vision for the sort of housing he hoped to build in Bristol at the RIBA Paintworks event "[Can Bristol Build the Best Homes in the UK?](#)", (i.e. high design & quality, community enhancing, very low energy / utility–cost). It was found that better designs came forward where the Planning Authorities required that designs/developments showed at least, (better, more than), minimum compliance with the Mayor of London's [Housing Design Guide](#), (<http://preview.tinyurl.com/oy7265f>). South Glos are likely to be already aware of this and even be weighing it. Alison Brooks, (Alison Brooks Architects, see <http://preview.tinyurl.com/oo2awo8>), set out the cases of Cambridge and Brent Councils, who (quite separately) had rejected an initial planning application from the bulk developer based on their usual standard house design, and insisted, effectively, that a design competition be held against a set of agreed requirements fitting the community aspirations. This was a change to the usual development approval model, but felt to be much more useful way of delivering homes that satisfy community need. Again, it is something that would help our Mayor fulfill his vision, while SGC may feel it is a worthwhile approach if it is being done in the company of a fellow Authority. In Cambridge, the outcome was the Accordia development, (google it for a list of references, but see here, <http://tinyurl.com/oeja63c>), and here, <http://tinyurl.com/pa25va9>), for examples.) (Sent subsequently by Roger Sabido, Ambition Lawrence Weston Neighbourhood Planning Group).

Note on Rail Following Inquiry regarding Recommendation C 12 (Alistair Cox, Service Manager, Strategic Transport)

The four tracking is taking place alongside electrification. Four tracking is essential to facilitate the future provision of MetroWest including the Henbury Line – without

it there would not be capacity to allow additional local rail services on the Filton Bank with just the current two lines in operation.

As part of the Council's work with Network Rail we are seeking passive provision for the stations on the Filton Bank as part of the delivery of four tracking so that future options are not closed down.