
Meeting: Sustainable Communities Overview and Scrutiny Committee

Date: 10th April 2012

Subject: **Brewers Hill Road Opportunity Sites Planning and Development Brief**

Report of: **Cllr Ken Matthews – Executive Member for Sustainable Communities Strategic Planning and Economic Development**

Summary: The report requests that the Overview and Scrutiny Committee note the responses to the statutory consultation on the draft Planning and Development Brief for Brewers Hill Road sites in Dunstable carried out in January and February 2012. The report also requests the Committee to note and comment upon the proposed changes to the draft Brief in response to this consultation which will be considered by Executive for endorsement as Technical Guidance for Development Management purposes.

Advising Officer: Jane Moakes, Assistant Director of Community Safety, Public Protection, Waste and Leisure

Contact Officer: Andy Lewis, Major Projects Officer

Public/Exempt: Public

Wards Affected: Northfields, Dunstable

Function of: Executive

CORPORATE IMPLICATIONS

Council Priorities:

1. The vision of the Sustainable Community Strategy is “To ensure Central Bedfordshire is Globally Connected, Delivering Sustainable Growth to ensure a Green Prosperous and Ambitious Place for the Benefit of All”. The Strategy will be delivered through two underpinning key themes of creating the conditions for economic success and community prosperity and raising standards and tackling inequality in order to deliver 26,000 new homes and 27,000 new jobs by 2026.
2. The implementation of the Planning and Development Brief is a fundamental part of the Council’s key priority to ‘manage growth effectively’. Dunstable and Houghton Regis are proposed to grow and the endorsed Core Strategy for Luton and South Bedfordshire plans for further growth. Regeneration of these sites will provide a number of employment and housing opportunities together with enhanced services for this part of Dunstable. Once endorsed, the Planning and Development Brief will form Technical Guidance for Development Management purposes and will form part of the Council’s Development Strategy.

Financial:

3. The preparation of the Planning and Development Brief has been funded from the Government's Growth Area Fund (GAF3). Many of the proposals in the brief will depend on private sector investment and development, though the Council is a major landowner on a number of the sites so is likely to be in a position to take a lead role in the regeneration of this area. Public funding has already been secured for the Incuba Centre project predominantly through a European Regional Development Fund (ERDF) Grant.

Legal:

4. It is a statutory requirement to produce a Development Plan. The planning and development brief cannot be adopted as formal policy at this stage but can be endorsed as Technical Guidance for Development Management purposes. However, it remains the intention to adopt the document as Supplementary Planning Documents (SPD) once Central Bedfordshire Council has adopted its emerging Development Strategy.

Risk Management:

5. The following risks have been identified:
 1. Failure to deliver development objectives/local needs/local requirements.
 2. Failure to secure private sector investment.
 3. Failure to discharge statutory duties under Section 17 of the Crime and Disorder Act.
 4. Failure to deliver sustainable development.
6. The endorsement of the Planning and Development Brief, which sets out a framework for development of these sites together with development objectives and appropriate land uses, will help mitigate these recognised risks. The Planning and Development Brief seeks to guide investment and provide a framework for the evaluation of planning proposals and development as they come forward. This reduces the risk of new development and related improvements failing to meet local needs or requirements. They will therefore provide greater clarity and guidance for those planning new developments, investment and improvements in this part of Dunstable. The identified risks will be managed throughout the development process.

Staffing (including Trades Unions):

7. Not Applicable.

Equalities/Human Rights:

8. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination and to foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. An equalities impact assessment is in the process of being completed in respect of the proposals outlined in the Planning and Development Brief and the outcomes of the Assessment and any associated issues will be reported in full to Executive. The implementation of this brief will have a largely positive effect due to the redevelopment of this part of Dunstable and the opportunities that this could bring. The accessibility of these services will be beneficial to particular groups.

Public Health

9. Delivery of this brief can enable better access to open space by the proposed extension to the existing National Cycle Route 6. The proposed cycle route will also improve physical activity by providing greater opportunities for walking and cycling.

Community Safety:

10. Section 17 of the Crime and Disorder Act 1998 places a duty on councils to do all they reasonably can to reduce crime and disorder locally and improve people's quality of life as a result. The duty requires the Council to consider and do all that is reasonable to support the reduction of crime and disorder in our area.
11. The implementation of this planning and development brief, and the subsequent regeneration of these sites, would have a positive impact on community safety by regenerating areas of the town and increasing the opportunities for natural surveillance. The mixed use of development in this area will mean that there are different needs in terms of community safety e.g. those associated with older more vulnerable residents associated with care homes, the needs of the business community and those for residential areas. To meet its statutory duty the Council will need to further consider the community safety implications as applications are received and developments progress.

Sustainability:

12. The Planning and Development Brief promotes the principles of sustainable development. It is proposed that the Incuba Centre project will be built to the BREEAM (Building Research Establishment Environmental Assessment Method) Excellent standard to deliver sustainable development. The brief seeks to improve facilities within this part of Dunstable which is an accessible location and will improve access to services by walking, cycling and public transport by incorporating the extension of the National Cycle Route 6 through the site. Equally, the implementation of the brief will improve employment opportunities within this part of the town and will give more people the opportunity to work locally. The brief will in due course form part of the Council's new Development Strategy which will have sustainable development as its overarching aim and will be subject to a sustainability appraisal.

Procurement:

13. Not applicable.

RECOMMENDATIONS:

The Sustainable Communities Overview and Scrutiny Committee is asked to:-

- 1. Recommend the endorsement of the Planning and Development Brief for Brewers Hill Road sites, Dunstable to Executive as technical guidance for development management purposes.**
- 2. Note the schedule of suggested changes to the wording as indicated in the Brewers Hill Road, Dunstable, Planning and Development Brief Consultation Report**

Background

13. In August 2010, Atkins Ltd was appointed to carry out a Planning and Development Brief for the vacant and undeveloped sites within the Brewers Hill Road and A5 High Street North junction using Growth Area Funding (GAF).
14. The Brewers Hill Road study brief area which comprises approximately 6 hectares (15 acres) is owned by three separate parties:
 - (a) **Central Bedfordshire Council (3.36 ha / 8.3 acres)** – the former Dunstable fire station site, the existing highways depot and gritter storage compound, the ‘Beach’ overspill car park and part of the former railway line.
 - (b) **Pedrables (1.14 ha / 2.8 acres)** – vacant land which comprised part of the former Trico site.
 - (c) **National Grid (1.46 ha / 3.6 acres)** – the former Dunstable gas works site including the existing operational gas storage facility.

The Draft Planning and Development Brief

15. The Draft Brief sets out a Land Use Framework comprising a mixed use development for the area with a strong emphasis on employment generating uses. The brief does recognise and acknowledge the current economic climate and the need to suggest a mix of land uses which are both viable and deliverable. The proposed land use framework therefore suggests the following uses for each specific site:
16. **Central Bedfordshire Council Land** - The Former Dunstable Fire Station site will be developed to provide an exemplar business enterprise centre and demonstration/training facility (Incuba Centre) supporting start-up and growing businesses with a particular focus on low carbon technologies and supporting skills relating to this sector.

17. A planning application is due to be submitted by Central Bedfordshire College soon in respect of the Incuba Centre and the project aims to be completed and operational by early autumn 2013.
18. In order to replace the car parking provision lost as a result of the development of the Incuba Centre, it is proposed that replacement car parking will be provided on the former railway land adjacent to the existing Council's Highways Depot, prior to the Incuba Centre project commencing.
19. The 'Beach' car park has been allocated for employment purposes once no longer required for car parking for the Council's offices at Watling House, either as a separate building for a sole occupier or a number of smaller units to be used possibly as grow-on space for occupiers of the Incuba Centre once they have become established and require larger premises.
20. It is also proposed to continue the existing National Cycle Route 6 along the length of the former railway land, adjacent to the existing Watling House car park to the A5 close to the position of the original railway bridge, where the cycleway can then link to the Luton-Dunstable Busway where a dedicated cycleway/footpath is to be constructed as part of the Luton-Dunstable Busway project.
21. **Pedrables Land** – A range of uses is suggested for this site. The A5 High Street North frontage could be developed as an elderly persons care home with a small scale retail unit.
22. The rear section of the Pedrables land together with the existing Council's Highway Depot site could be developed as hotel.
23. Residential development on this site, in the form of retirement/ care home accommodation, would be an acceptable and compatible use adjacent to 'The Edge' residential development, however, it is important to note that traditional employment uses would not be discounted in any event, and the Brief has a flexible approach to uses that would be acceptable in this part of Brewers Hill Road.
24. **National Grid Land** - The northern most part of the National Grid land (adjacent to Watling House) has been allocated for housing (46 units) in the South Bedfordshire Local Plan and it remains in the housing supply (as defined in Policy H1(4) of the Local Plan). However, the abnormal costs associated with the development of this site (de-contamination, removal of the gas storage facility and associated Section 106 costs) would result in viability problems. In order to improve viability the density of development could be increased slightly, but this is likely to result in a proportion of the housing being flats rather than houses. The brief considers that there should be some degree of flexibility in the number of units that could be accommodated on this site however, the design of the development would need to be acceptable to the local community and not create any adverse impacts either on the neighbouring properties or the local highway network. As it is unlikely that this site will be developed for housing purposes for some there could be opportunities for some low intensity storage uses on a temporary basis, until the housing market conditions have improved and/or there is funding support to tackle the abnormal remediation and decommission costs.

25. The southern section of the National Grid land, partly occupied by the existing gas storage facility could be developed for light industrial employment purposes.
26. Whilst the Council would be flexible in its approach to the proposed uses indicated, any proposed development will need to be of a high quality design and layout and should adhere to the principles provided within this Brief.

Statutory Consultation

27. The Draft Planning and Development Brief has been the subject of extensive stakeholder engagement at various stages of the process including the baseline, options development and final draft for consultation stages. This engagement has included stakeholder workshops (December 2010 and June 2011, meetings with land owners, meetings with resident groups and interested parties, a public exhibition and public consultation questionnaires.
28. Prior to the statutory consultation stage, the Draft Planning and Development Brief was presented to the Development Strategy Task Force on 12th December 2011, following a site visit to the study area. The Task Force recommended that the Draft Brief be endorsed for public consultation, subject to an appropriate amendment to ensure any reference to a “preferred” option is for illustrative purposes only.
29. The Draft Brief was subject to a ‘statutory consultation’ process during January and February 2012 which included a staffed public exhibition at the Dunstable Community Fire Station, with the further display of the exhibition material in Dunstable Library until the end of the consultation period. Presentations to the Town Council, the Beecroft Residents Association and the nearby ‘Greenacres’ elderly persons care home also took place. Statutory consultees were formally consulted as well as local stakeholders and interest groups. A public notice was put in the local paper together with editorial articles.
30. All residential and business properties in the Brewers Hill Road/High Street North vicinity were formally consulted on the proposals by letter, totalling some 250 and consultation questionnaires and information leaflets were made available during the public exhibition and at Dunstable Library. The draft brief and the exhibition material were also put on the Council’s website and the consultation questionnaire was available to be completed on-line.

Consultation Findings and Proposed Changes

31. Full analysis of the findings of the statutory consultation process has been carried out and a summary of the results and the recommended amendments is provided below.
32. In total, 28 questionnaire responses were received during the consultation process and of these, 22% of respondents were below the age of 45; 46% were between the ages of 45 and 64 and 32% of respondents were above the age of 65. The majority (55%) of those who completed the consultation questionnaire were residents of Dunstable with others received from Eaton Bray, Houghton Regis, Linslade and Toddington. In addition to the questionnaire responses there were 13 formal written representations submitted as part of the statutory consultation process.

33. The majority (82%) of the respondents agreed with the proposals for a care home facility and small retail store on the former Trico site with broad support (52%) in favour of a hotel.
34. There was strong support for the use of the former fire station site for the Incuba Centre with 82% of the respondents agreeing with the proposed use of the Beach car park area for employment purposes; possibly to be used as grow-on space for the Incuba Centre in the future.
35. 82% of the respondents agreed with the use of the former gas works site (land currently occupied by the gas storage facility and land to the rear) for employment purposes with a number commenting that such a use could assist in supporting businesses who need to relocate and the creation of more jobs could only be good.
36. There was strong support for the proposed extension to the existing National Cycle Route 6 cycleway and footpath, with the following additional comments received; cycleway/footpath access to the town centre and Busway a good idea; safe cycle ways will be greatly appreciated; benefit for the local and wider community; link to countryside essential and alternative means of travelling are required.
37. There are no planned major changes to the Draft Planning and Development Brief as a result of the comments received, however, it is proposed to amend the study area slightly to incorporate the former railway line site adjacent to the existing Highways Depot. This area of land has been identified as a site for replacement car parking provision to replace the existing overspill car park on the former fire station site.
38. It is also proposed to incorporate an additional table within the final Brief document to detail the uses that would be acceptable on each parcel of land in accordance with the Town and Country Planning (Use Classes) Order.
39. It is also proposed that updates to the final Brief document will be implemented to reflect any changes which may have occurred since the draft document was compiled in December last year, together with text edits, clarifications and corrections.

Conclusion and Next Steps

40. The Planning and Development Brief proposals have been subject to considerable community and stakeholder consultation and have received broad support from the community. The regeneration of these sites, which have predominantly been undeveloped for a considerable period of time, will provide considerable employment opportunities and new facilities for this part of Dunstable.
41. The Committee is requested to recommend to Executive that the Planning and Development Brief for Brewers Hill Road, incorporating the proposed changes, is endorsed as Technical Guidance for Development Management purposes, to ensure that the proposals contained within it carry weight and significance in planning terms to guide future investment and regeneration of this part of Dunstable.

Appendices:

Appendix A – ‘Red Line’ plan showing the Brewers Hill Road, Dunstable, Planning and Development Brief Study Area

Appendix B – ‘Land Use Framework Plan’ for the Brewers Hill Road, Dunstable, Planning and Development Brief

Background Papers: (open to public inspection)

- Brewers Hill Road, Dunstable, Draft Planning and Development Brief
- Brewers Hill Road, Dunstable, Planning and Development Brief Consultation Report

Location of Papers:

Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford. SG17 5TQ