
Meeting: Executive
Date: 15 May 2012
Subject: **Brewers Hill Road Opportunity Sites Planning and Development Brief**
Report of: **Cllr Nigel Young – Executive Member for Sustainable Communities Strategic Planning and Economic Development**
Summary: The report proposes to seek agreement to the adoption of the Planning and Development Brief as Technical Guidance for Development Management.

Advising Officer: Gary Alderson, Director of Sustainable Communities
Contact Officer: Jon Cliff, Head of Economic Development and Physical Regeneration
Public/Exempt: Public
Wards Affected: Northfields, Dunstable
Function of: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) N/A

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 development opportunities including for employment 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). The Brief does not directly commit the Council to expenditure or income streams. However, the Council as a major landowner on a number of the sites is likely to be in a position to take a lead role in the regeneration of this area. Many of the proposals in the Brief will depend on private sector investment and development. The Brief outlines a number of proposals for the use of Council land. The financial implications of the proposed usage has been or will be the subject of Executive reports, for example:

- August 2011 (Incuba Centre project funded predominantly through a European Regional Development Fund Grant); and
- future Executive report for BEaR Project will include a section on the existing highways depot.

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 a Supplementary Planning Document (SPD) once Central Bedfordshire Council has adopted its emerging Development Strategy in 2014.

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.

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 harassment and victimisation 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 has been carried out in respect of the proposals outlined in the Planning and Development Brief. The implementation of this brief will have a largely positive effect due to the redevelopment of this part of Dunstable and the opportunities in terms of the employment, further education, training and housing 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.

Overview and Scrutiny:

14. The Sustainable Communities OSC received and considered the development brief at their meeting on 10 April 2012. The Committee also received proposed changes to the draft planning and development brief as a result of consultation that have been included in the final version submitted to the Executive. The Committee unanimously supported the proposals and resolved as follows:-

RECOMMENDED to Executive that the Brewers Hill Road Opportunity Sites Planning and Development Brief be endorsed as technical guidance for development management purposes subject to the addition of the schedule of suggested changes as indicated in the consultation report.

RECOMMENDATION:**The Executive is asked to:**

1. **to agree to endorse the Planning and Development Brief for the Brewers Hill Road sites in Dunstable as Technical Guidance for Development Management purposes.**

Reason for Recommendation: *To enable regeneration of these sites to provide a range of uses which will create a number of employment opportunities together with enhanced services in this part of Dunstable for current and future residents and businesses.*

Executive Summary

15. The report seeks the endorsement of the planning and development brief as Technical Guidance for Development Management purposes. This will guide and attract regeneration of the sites and will enable the sites to provide a range of improved facilities and employment opportunities for Dunstable.

Purpose of the Planning and Development Briefs

16. The main objective of the planning and development brief is to provide guidance on the land use framework and the future form of development on the sites, to steer and attract comprehensive development and regeneration. The brief is not a blueprint, but instead sets down appropriate uses and guiding principles and policies for redevelopment and retains flexibility so that market led solutions can come forward. The document seeks to secure positive benefits for this part of Dunstable, particularly the creation of employment opportunities and also to mitigate any negative impacts.
17. The planning and development brief cannot be adopted as formal policy at this stage however, it remains the intention to adopt the Brief as a Supplementary Planning Document (SPD) once Central Bedfordshire Council has adopted its emerging Development Strategy.

Background

18. The majority of the sites within the Brewers Hill Road Development Brief area have been vacant and undeveloped for some considerable period of time, despite them being allocated or having planning permission for a range of uses. In August 2010, Atkins Ltd were appointed by the Council to develop a Planning and Development Brief for these sites using Growth Area Funding (GAF).
19. The Brewers Hill Road Brief area which comprises approximately 6 hectares (15 acres) is within the ownership of 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, and part of the Watling House car park, including the Beach Car Park, and part of the former railway line.
 - (b) **Pedrables (1.14 ha / 2.8 acres)** – vacant land which comprises part of the former Trico site.
 - (c) **National Grid (1.46 ha / 3.6 acres)** – part of the former Dunstable gas works site including the existing operational gas storage facility.
20. Atkins commenced their work with a local stakeholder workshop in September 2010 to present the information obtained from their baseline review undertaken, for verification and discussion. Concepts were produced at this workshop which resulted in two options being developed which, were subsequently presented to a second stakeholder workshop in June 2011. Ward members, land owners, representatives from the Town Council, local businesses and representatives from the local residents association attended these workshops. Following detailed discussions at this second workshop, preferred land uses were considered and agreed to be taken forward as a preferred Land Use Framework Option.

The Draft Planning and Development Brief

21. The 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 suggests the following uses for each specific site:
- (a) **Central Bedfordshire Council Land** - The Former Dunstable Fire Station site will be developed to provide the Incuba Centre, an exemplar business enterprise centre and training and demonstration facility supporting start-up and growing businesses with a particular focus on low carbon technologies and supporting skills relating to this sector.
 - (b) The 'Beach' car park has been allocated for employment purposes, 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.
 - (c) The former railway land adjacent to the existing Council's Highways Depot is proposed for car parking. This could provide replacement Council car parking provision lost as a result of the development of the Incuba Centre on the former fire station site.
 - (d) It is also proposed to continue the existing National Cycle Route 6 along the length of the former railway land, through 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 Busway project.
 - (e) The Council's Highways Depot could be redeveloped as part of the adjoining Pedrables site (see (g) below), once this is relocated to a new site linked to the proposed BEaR project. Similarly, the adjoining highways gritter compound once relocated, could provide the opportunity as an extension to the Incuba Centre site.
 - (f) **Pedrables Land** – Part of this could be developed as an elderly persons care home with small scale retailing. Discussions have already taken place between the land owner and a care home provider with regard to the redevelopment of this site.
 - (g) Other potential uses for the site include a hotel. Residential development on this site, in the form of retirement/extra care/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.

- (h) **National Grid Land** - The northern most part of the National Grid land 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, and removal of the gas storage facility) are likely to render this unviable in the current market. 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. Alternative employment uses could be considered subject to viability, or short term uses such as car parking.
- (i) The southern section of the national Grid land, partly occupied by the existing gas storage facility, could be developed for light industrial employment purposes when the gas storage has been decommissioned.

- 22. Whilst the Brief is 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.
- 23. The viability of the proposed uses is crucial to the delivery of the brief and therefore a number of viability appraisals have been undertaken as part of the development of the document. It is acknowledged in the brief however, that due to the current economic climate, the redevelopment of the individual sites will crucially depend upon occupier demand and commercial viability.
- 24. As the Council is a major landowner within the Brewers Hill Road area, this Planning and Development Brief presents an opportunity for the Council to take a lead role in the regeneration of this area, a large part of which has remained predominantly undeveloped for a considerable number of years.

Statutory Consultation

- 25. 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 local 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 advertising the consultation process.
- 26. 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 and at Watling House. The draft Brief and the exhibition material were also displayed on the Council's website and the consultation questionnaire was available to be completed on-line.

27. 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 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.
28. There was strong support for the use of the former fire station site for the Incuba Centre and 82% of the respondents agreed with the proposed use of the Beach car park area for employment purposes. 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 (57%) in favour of a hotel. 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.
29. There was support for the allocated use of part of the former gas works site for residential however, some of the respondents stated that properties should not comprise high rise apartments but should be standard two-storey houses with gardens and/or a care home or sheltered accommodation.
30. There was strong support for the proposed extension to the existing National Cycle Route 6 cycleway and footpath, with a number of respondents commenting that the extension to the cycleway/footpath to the town centre and Busway was a good idea; that safe cycle ways will be greatly appreciated; will benefit the local and wider community; and provide a link to the countryside.
31. Full analysis of the findings of the statutory consultation process was carried out and the findings together with recommended amendments to the Brief were reported to the Overview & Scrutiny Committee on 10th April 2012.
32. In addition to changes as a result of the comments made by the Overview and Scrutiny Committee, a number of minor text edits, clarifications and corrections have been made to the document. All of these changes have been incorporated within the Final Planning and Development Brief which have been provided to Executive members.

Conclusion and Next Steps

33. The proposals contained within the Planning and Development Brief have been subject to considerable community consultation and engagement with key partners and landowners and all have secured broad support from the community. The regeneration of these sites will provide significant benefits, including employment and training opportunities for the local community of Dunstable and Houghton Regis.
34. It is recommended that the Planning and Development Brief for Brewers Hill Road is endorsed as Technical Guidance for Development Management purposes.

Appendices:

Appendix A – 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, Planning and Development Brief
- Brewers Hill Road, Dunstable, Planning and Development Brief Consultation Report
- Brewers Hill Road, Dunstable, Planning and Development Brief Equality Impact Assessment

[Note – Members can view the Brewers Hill Road, Dunstable Development Brief via the following Citrix link P:\Economic Growth and Regeneration\BREWERS HILL ROAD BRIEF]

Location of Papers:

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