
Meeting: Executive
Date: 2 October 2012
Subject: Site Allocations Policy MA5 – Development Brief for land at Biggleswade Road, Potton
Report of: Cllr Nigel Young, Executive Member for Sustainable Communities – Strategic Planning and Economic Development
Summary: The report recommends that the Executive adopt the development brief as technical guidance for development management purposes.

Advising Officer: Gary Alderson, Director of Sustainable Communities
Contact Officer: Carry Murphy, Principal Planning Officer, Local Planning and Housing Team
Public/Exempt: Public
Wards Affected: Potton
Function of: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) N/A

CORPORATE IMPLICATIONS

Council Priorities:

The development brief will contribute to the Council's priority of enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.

Financial:

1. The creation of the development brief will not represent a financial burden on the Council. Many of the costs for creating the development brief have been borne by the promoters. Furthermore, a Planning Performance Agreement (PPA), a collaborative project management tool, has been entered into which secured funding for the administration and supervision of the development brief and subsequent determination of any future planning applications.

Legal:

2. Once adopted as technical guidance the development brief will constitute a material planning consideration to be taken into account when determining applications made in respect of the site.

Risk Management:

3. Policy MA5 of the Site Allocations Development Plan Document (DPD) makes clear the requirement for the production of a development brief for the site. A failure to endorse the development brief and determine any subsequent planning applications in accordance with the PPA timelines agreed between both parties may result in the Council being forced to pay back a meaningful proportion of the monies secured through the PPA.
4. An adopted development brief will give more certainty to the development management process, although there are still risks associated with this separate statutory stage. This may include the inability to secure adequate planning obligations to meet the needs of the development and a failure to meet the public's expectations of the development.

Staffing (including Trades Unions):

5. Not Applicable.

Equalities/Human Rights:

6. Central Bedfordshire Council has 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
7. The Site Allocations DPD Equality Impact Assessment (EIA) highlighted the need for:
 - The delivery of affordable housing within towns and villages throughout Central Bedfordshire north area.
 - The selection of housing sites on the basis that future residents live in locations close to services and public transport routes.
 - Provision of land for community facilities.
 - New employment units allocated close to centres of population in order to increase job opportunities locally and help to address unemployment and out-commuting.
8. The DPD EIA concluded that the emphasis placed on ensuring that developments are allocated within sustainable locations and ensuring that residents are able to access employment opportunities, facilities and services to meet their everyday needs should help to ensure a positive impact for all sections of the community.

9. In addition data suggests that there will also be a rapid increase in the elderly population in coming years. Providing appropriate accommodation for this age group will therefore also become a priority. In order to provide accommodation for the increasing elderly population, development briefs for large housing sites should make provision for housing suitable for the increasing elderly population and for disabled people, through the provision of Lifetime Homes.
10. Section 32 of this report highlights the key design principles of the development brief, which will help to address key equality issues such as affordable housing and Lifetime Homes.

Public Health:

11. The Council will need to ensure that it complies with its duties to promote access to green space, encourage sustainable transport and ensure that the built environment maximises opportunities for physical activity. This in turn will help the Council to improve outcomes for health and wellbeing.

Community Safety:

12. The Council will need to ensure that it complies with its statutory duties under Section 17 of the Crime and Disorder Act. Any proposals submitted as part of a future planning application will be required to fulfil the criteria set down for community safety within the adopted Central Bedfordshire Design Guide.

Sustainability:

13. The Site Allocation DPD was assessed under the Sustainability Appraisal/ Strategic Environmental Assessment regulation requirements. The entire document is aimed at promoting and enabling sustainable development and Potton has been identified to take further housing and employment land growth. The proposed development would contribute toward the vitality and viability of local facilities, thereby reducing the need to travel.
14. In accordance with Council's adopted development management policies DM1 and DM2, the prospective developers will need to demonstrate how 10% of the predicted energy requirements of the development will be generated either on site or near to the site by renewables or low carbon technologies. They will also be required to incorporate measures to reduce water consumption, as well as building all dwellings to the mandatory standards of the level of the Code of Sustainable homes that applies at the time of planning application.

Procurement:

15. Not applicable.

Overview and Scrutiny:

16. This matter is to be considered by Sustainable Communities Overview and Scrutiny Committee (OSC) on 26 September 2012. Given the short lead-in times between OSC and Executive, a verbal update (together with any recommendation) will be given at the Executive meeting.

RECOMMENDATION:

The Executive is asked to:

- 1. adopt the development brief as technical guidance for development management purposes.**

Reason for Recommendation: To meet the housing requirements for Central Bedfordshire (North) for the period up to 2026 as set out in the Core Strategy and Development Management Development Plan Document (adopted November 2009).

Executive Summary

- 17. The report recommends that Executive adopt the development brief as technical guidance for development management purposes.**

Purpose of the Development Brief

- 18. The draft development brief (at Appendix A) provides the background and policy context for this site and its allocation for residential development. It also sets out the aims for the development identifying the particular constraints and opportunities of the site and confirms the range of technical work which any planning application must address.**
- 19. The brief is a high level document whose purpose is to set out general principles; the more concentrated and detailed work is a matter to be addressed at the planning application stages. Nevertheless, it does provide a mechanism through which members of the public and other interested parties can have a greater involvement in the development of proposals for the site and provide some certainty as to the future development of the site. Once approved, the brief will act as development management guidance and any future planning applications will be considered against the background of the adopted brief.**

Background

- 20. In November 2009, the Council adopted the Core Strategy and Development Management DPD (for the former Mid Bedfordshire Area) following an Examination in Public that same year. The Core Strategy required the delivery of at least 17,950 new homes between 2001 and 2026 with 5,000 new homes required in addition to those already committed (such as those allocated in the Mid Bedfordshire Local Plan 2005). Of these 5,000 the Core Strategy stated that between 150 and 250 should be provided in Potton (Policy CS5: Providing Homes).**

21. In April 2011, the Council formally adopted the Site Allocations DPD following an examination in late 2010. Policy MA5 allocates the land at Biggleswade Road for a minimum of 150 dwellings, approximately 1 hectare of employment land, a community hall and an extension to the existing sports ground. There is also a requirement in the policy for a development brief to be prepared to help inform subsequent planning applications and guide the development.
22. Since late 2011 Council officers, from a wide range of service areas, have been working in partnership with the landowners/promoters for the site, on the preparation of a development brief for this site. A planning performance agreement (PPA) has been entered into between Central Bedfordshire Council and the landowners/promoter. The agreement identifies a shared vision and identifies key milestones and timescales for the delivery of a planning decision by both Central Bedfordshire Council and the developer. Whilst it offers project management certainty, this does not mean a favourable planning application outcome is guaranteed.
23. A stakeholder group was established in October 2011 and comprises representatives of Pottton Town Council and local groups suggested by the Town Council. The group meets regularly with the landowners/promoters and CBC planning officers to discuss local issues and the emerging development brief for the site. Those participating represent:
 - Pottton Town Council
 - Chairman of Pottton Town Plan
 - Local Ward Member Councillor Adam Zerny
 - Local interest groups including choral society, amateur dramatics, The Hollow cricket club, "Hall for All" group.
24. As set out in the agreed Terms of Reference, the stakeholder group has no legal status but exists to provide a forum for local groups and individuals to help inform the creation of the development brief and to have an input in the preparation of the application scheme. Beyond the planning application stages, it is hoped that the group can develop into a community based forum.
25. As part of the consideration of different sites for inclusion in the Site Allocations DPD was the delivery of benefits to the community. One of the findings coming out of the Pottton Town Plan (2009-2019) is the wish to deliver a new community facility and this has been reflected as a policy requirement within Policy MA5. However, for some stakeholders, a new community facility is seen as an unnecessary additional burden/business threat given the existence of other community halls within the town (believed to be in excess of 10). Although the Town Council support the principle, they are unwilling to support the proposal financially. For other stakeholders, the delivery of a community hall that is fit for purpose and meets modern day requirements for a range of different uses is a necessity and without embracing the opportunity that planning obligation monies will afford, it is unlikely to be delivered within this plan period or indeed ever.

26. As a consequence some of the bodies represented in the group have explored alternative ways for the delivery of a community hall and this has led to the creation of a 'Hall for All' steering group of local residents. The steering group has sought to engage with the town increasing awareness of the development proposals and the opportunity and has canvassed views on what the facility might achieve.
27. Whilst Central Bedfordshire Council is supportive of this policy objective, the attendant risks of delivering and maintaining such a facility are recognised. To this end, the stakeholder group has been charged with putting together a business case that demonstrates how the residual capital cost required (beyond planning obligation contributions) can be met and more importantly how such a facility can be managed and self funded. This is a matter the Council will have to consider as part of the planning obligation negotiations that will take place at the more detailed stage of the planning application process, expected to commence late 2012.
28. The steering group has instructed Bedfordshire Rural Communities Charity to work up a business case in support of the community hall project (and its early findings are expected in September). This work is being informed by a project brief (Appendix C) and preliminary architectural drawings. Also, the group is seeking advice from the nearby parish of Gamlingay who successfully delivered an Eco-Hub building.

The Development Brief

29. Land off Biggleswade Road, Potton comprises of a 7.4 hectare site located south of the town centre. Location plans are shown on page 4 of the brief.
30. The site is in two ownerships and comprises two distinct areas separated by an established hedge boundary. The eastern field is used for grazing. The site abuts established developed areas of Potton to the north and west which are primarily residential with a petrol station at the north west corner. To the south the site adjoins residential properties and The Hollow Sports Area.
31. In accordance with policy MA5 the brief outlines the range of uses that are considered suitable, subject to details, for the site. The brief aims to ensure that quality design is achieved throughout the development, providing an attractive environment that enhances the existing character of Potton and its environs.
32. The brief sets out a number of design principles (page 9 onwards with accompanying concept diagram on page 12) to which any development proposals will need to adhere. In particular, the amount and type of development (both residential and commercial) as well as the mix and type of dwellings (including affordable housing and lifetime housing provision), scale, massing, layout, drainage, open space and landscape requirements will need to be carefully considered.
33. In response to addressing these issues in any layout scheme the developer will need to take account of the site constraints and opportunities associated with the site (identified on pages 6 to 8) together with other relevant urban design principles set out in the Council's adopted Residential Design Guide to address, for example, parking and the street hierarchy.

34. The brief also sets out the Council's specific requirements for access and connectivity both within and immediately surrounding the site – see Sections 5.36 – 5.41. There will be the provision of new roundabout on Biggleswade Road to serve the new development. A new alternative vehicular access to The Hollow will be provided through the new development. There are also opportunities to improve linkages to existing Rights of Way paths to the wider area. This will include links to the western edge to connect to Biggleswade Road. A connection to Sheepwalk Close and public footpath 1 has also been identified and remains an objective. However the ability to deliver this is subject to on-going negotiations with third parties and may not necessarily be resolved before the development brief is adopted as technical guidance.
35. Given the extent of the green infrastructure to be provided and enhanced as part of the proposed development a high quality strategic landscaping scheme is crucial to its overall success and is a requirement of the brief.
36. As set out in the policy MA5, the brief is explicit in that appropriate solutions for dealing with the drainage requirements of the development will need to be investigated and addressed as part of any planning application package.
37. The brief also sets out the Council's requirements for developer contributions in line with the adopted Planning Obligations Strategy. Sections 5.24 – 5.26 make reference to the provision for a new community hall within the site located to complement the green areas on the eastern side of the site and provide a built form at the end of the main access road; whilst recognising that this proposal will further depend on local aspirations and funding opportunities to support the delivery of a new hall.

Public Consultation and Feedback

38. On 17 May 2012 a presentation was made by the landowners to the Executive and Deputy Executive Members for Sustainable Communities - Strategic Planning and Economic Development (Councillors Young and Brown), as well as Councillor Gurney as Ward Member for their comments before a draft brief was formally issued for formal public consultation purposes. At their request some amendments to the document were taken on board, prior to the document being finalised for consultation purposes.
39. On 19 June 2012, delegated authority was given for the commencement of formal public consultation. In doing this the Director of Sustainable Communities consulted the Executive Member for Sustainable Communities - Strategic Planning and Economic Development and Ward Members in respect of the draft document. The public consultation period ran for a total of 4 weeks (1 July - 30 July) which was considered appropriate given the existence of the stakeholder group. A copy of the details of the consultation undertaken are summarised in the draft statement of community involvement – see Appendix B.

40. In summary, the consultation exercise was publicised by a leaflet being distributed to every home in Potton and other appropriate advertising of the consultation in accordance with established procedures. Copies of the document were made available to view on the Council's web-site and at various public buildings within the town. A questionnaire was available to complete and return. Within this, a two day public consultation event was also undertaken (17 and 18 July) at Potton Town Council Community Centre. This was attended by representatives of the landowners/promoters as well as CBC planning officers. Members of the 'hall for all' group were also in attendance. Over the course of the two days it is estimated that approximately 50 visitors attended the exhibition.
41. A total of 73 questionnaires were completed. The comments have largely been from members of the public residing in a number of different locations within the town. Whilst there were a few responses opposing development altogether (12 in total), the overwhelming majority of comments were constructive in highlighting the issues residents perceive to have a bearing on the development and their personal aspirations for the site. A breakdown of the comments may be found in the consultation statement.
42. A number of comments received have been about the principle of development itself and in the context of Potton being able to absorb further development. Adopted planning policies will prevail and therefore comments which relate to dwelling numbers, mix and tenure, for example, are not pertinent. Comments have also included suggestions about what residents would like to see included within the development. Whilst valuable, they are not salient to informing the development brief given its purpose is to identify key principles for the site, opportunities and constraints and are therefore more relevant to any subsequent planning application.
43. Other comments received of relevance to the development itself are as follows.
- a) Access to and from the site (including that for The Hollow)
 - b) Proposed location of new roundabout on Biggleswade Road
 - c) Impact of additional traffic on Biggleswade Road and safety issues
 - d) Pedestrian and cycle access beyond site boundaries to reach other areas of the town
 - e) Housing numbers and housing mix
 - f) Density of development
 - g) Appropriate location for different land uses within the site
 - h) Heights of buildings
 - i) Drainage and flooding
 - j) Potential impact on the natural environment
 - k) Provision of play areas
 - l) Integration with the existing neighbourhood
 - m) Amenity impact for existing neighbouring properties
 - n) Impacts on the natural environment
44. Some comments of a technical nature have also been received and are largely concerned with clarification being made in the brief on the requirements for the development.

45. The stakeholder group has been kept fully informed of the process, and the comments and thoughts of the group were sought in preparing the brief. This group has also been consulted on the responses to the public consultation feedback and proposed amendments to the draft Brief.

Changes to the Development Brief

46. Some proposed changes to the development have been identified and these are indicated as underlined text or deletions in the following sections of the draft brief.
- i) Section 1 (pages 1 and 2) - The introduction has been updated to reflect the consultation programme and consideration of the consultation responses.
 - ii) Section 3.5 (page 4) - The plan illustrating the site's relationship to services in the town. N.B. this plan will be updated prior to final publication.
 - iii) Section 4.1 (pages 6 and 7) - The constraints and opportunities section has been updated to acknowledge:
 - Bullet point 1 - The undulating nature of the site with reference to the raised mounds and slopes added.
 - Bullet point 2 - Protected trees on the boundaries.
 - Bullet point 4 - The established boundary planting.
 - Bullet point 10 - There are residential properties to the south of the site where amenity will need to be considered and the differing ground level of some of the adjacent properties.
 - Bullet point 11 - Light sources from The Hollow sports area to be considered.
 - Bullet point 12 - Bat flight paths crossing the site.
 - iv) Section 4.2 (page 7):
Bullet point 1 - Update of text following the conclusion of the archaeology investigation.
 - v) Constraints Plan (page 8) - Updated to acknowledge neighbouring housing amenity to the south of the site.
 - vi) Section 5.9 (page 10) - Clarification that the affordable housing will be integrated with the rest of the development in appropriate clusters.
 - vii) Section 5.14 (page 11) - Clarification that the layout plan is conceptual and the simple building blocks this identifies are intended to only loosely represent the final possible built form.
 - viii) Section 5.16 (page 11) – Wording clarification on the intended character of the development to the north of the site and that a play area will be included within the development.
 - ix) Indicative Concept/Layout Plan (page 12) - Revised to highlight further access links to The Hollow.

- x) Section 5.20 (page 13) - Greater emphasis given to ensuring footpath/cycle links through the development and to the north-east and north-west of the site.
- xi) Section 5.27 (page 14) - Clarification on the definitions of intended play areas to be provided.
- xii) Section 5.35) (page 16) - The employment development images updated in the light of comments received.
- xiii) Section 5.40 (page 17) - Clarification of the aim to try and secure footpath cycle link connection to Sheepwalk Close and existing footpath number 1.
- xiv) Section 5.44 (page 18) - Clarification of the need to ensure the existing hedgerow feature is retained and is subject to a management plan and maintenance contribution.
- xv) Section 7.3 (page 20) - Clarification at bullet point 1 in respect of additional contributions for new footpath links within the site, the maintenance of the hedgerow and contributions generally in accordance with the Council's adopted planning obligations strategy.

Conclusion

47. Consideration has been afforded to the consultation exercise and where appropriate amendments have been made to the brief. Subject to the recommended changes being made, the development brief is fit for development management purposes and should therefore be adopted as technical guidance.

Appendices:

Appendix A – Draft Development Brief and proposed changes

Appendix B – Draft Statement of Community Involvement and consultation responses

Appendix C – Brief to produce a Feasibility Study for Potton “Hall for All”

Background Papers:

Core Strategy and Development Management Policies DPD

Site Allocations DPD

Location of papers: Priory House, Chicksands