



Final Approval of City Centre Eastern Fringes Area Action Plan Preferred Option

SUMMARY

- 1.1 At its November meeting Cabinet were asked to consider responses to the 'City Centre Eastern Fringes' Area Action Plan (CCEFAAP) 'Preferred Option' consultation that took place between 30 July and 10 September 2008. Members agreed to a series of amendments to the principles and proposals in the light of the comments received. At the same meeting, Members also agreed to allow officers to enter into further discussions with the Derby Hospitals NHS Foundation Trust to discuss their aspirations for the DRI site and other landholdings in the area. This was in order to ascertain if the CCEFAAP needed further amendment.
- 1.2 Members will also recall that in December 2007, Cabinet approved a revised route toward the regeneration of Castleward that included the suspending of the AAP process after the Preferred Option had been completed.
- 1.3 This report aims to update Members on the above discussions and seeks authority to approve the CCEFAAP Preferred Option as amended, while confirming the decision to suspend further progress towards its statutory adoption.. This report sits alongside two others on this agenda; one on Castleward Project Management Arrangements and one on the Railway Conservation Area Appraisal. These are also relevant to the future of the Eastern Fringes area and on-going projects that are seeking to bring about significant beneficial change.

RECOMMENDATION

- 2.1 To approve the amended City Centre Eastern Fringes Area Action Plan 'Preferred Option' (Appendix 2) as part of the development framework for the Eastern Fringes area and as a material consideration in the determination of planning applications.
- 2.2 To confirm the decision to suspend the further progression of the Action Plan towards its statutory adoption as part of the Local Development Framework.

REASONS FOR RECOMMENDATION

- 3.1 Suspending the statutory progression of the AAP at this stage will allow Derby Cityscape to take forward a marketing process to seek a preferred developer. This will use the agreed AAP proposals as part of a framework to select a developer and guide proposals.
- 3.2 To enable resources to be concentrated on the production of the Core Strategy.

SUPPORTING INFORMATION

- 4.1 At its November meeting Cabinet considered the response to the CCEFAAP 'Preferred Option' consultation exercise. A number of amendments were made and the majority of issues raised by the consultation were resolved and the proposals for the regeneration of the area were accepted and approved by Members (an amended summary of principles and priorities is attached as Appendix 2). The main outstanding issue that needed further consideration related to the DRI site and other NHS Trust landholdings in the area.
- 4.2 Agents representing the Derby Hospitals NHS Trust submitted representations on the CCEFAAP Preferred Option in September 2008, which identified a completely different vision for the DRI site and other elements of the Eastern Fringes area.
- 4.3 The proposals include circa 5000 sqm (gross) of retail floorspace, a 180 bed hotel, over 30000 sqm of office floorspace, a multi storey car park to serve the development and potentially 400 residential dwellings. Within Castleward they are proposing a further multi storey car park, to serve development on the DRI site and have suggested that the Bemrose / Sovereign car parks should be the preferred location for the proposed primary school. On any remaining land, they are proposing residential development, with an element of local retail on what would be the 'frontage' of the proposed boulevard.
- 4.4 Apart from the residential element, the proposals for the DRI site are contrary to the Preferred Option of the CCEFAAP and the Derby Cityscape Masterplan. It is recognised that the adopted City of Derby Local Plan Review does give some policy support for offices, a hotel and residential development however there is no policy support for significant levels of retail.
- 4.5 From a planning policy perspective, there are concerns with aspects of the Trust's proposals, particularly in relation to the retailing and the potential impact this could have on the vitality and viability of the city centre. The level of commercial development proposed could also have an impact on the delivery of other elements of the AAP and will significantly reduce the contribution the site can make to meeting the City's future housing needs in what is a particularly sustainable location.
- 4.6 Discussions with the NHS Trust and their representatives have continued in order to attempt to reach an agreement about the future use of the DRI site and the Bemrose and Sovereign car parks within Castleward. At this time, no agreement has been reached. While it is anticipated that these discussions will continue, it is recommended that the AAP proposals are not amended to reflect the Trust's 'vision' for the site and that further work on the AAP is suspended at this point. This will assist Derby Cityscape in marketing the Castleward opportunity through the OJEU process (as described in a separate report on this Agenda).

- 4.7 The Trust's proposals for the DRI will, therefore, be considered on a planning application basis. Although the agreed Preferred Option will not carry the full weight of a statutory planning document, it will still be material in the determination of planning applications. Moreover, it will be an important document in the 'preferred developer' selection process for Castleward and in providing the guiding principles on schemes. Officers continue to work with the Health Trust, through a formal development team approach, to help develop their proposals for the DRI in a way that it is hoped will be acceptable to both the Trust and the Council.
- 4.8 Members will recall a number of other, more minor, issues that needed further consideration. These included giving consideration to what density housing should be developed at within the area. At this current time of uncertainty within the market and with a number of pieces of research still outstanding, it is considered that these issues can be adequately dealt with through the preferred developer selection and normal development processes. The text in the AAP has been amended to reflect this. Discussions with other landowners and relevant parties will also continue through these processes. This will not significantly effect or alter the agreed land use distribution or the general principles of creating a sustainable urban village, focussed around the Castleward Boulevard.

OTHER OPTIONS CONSIDERED

- 5.1 Continue with AAP preparation: This is not considered an appropriate option. Continuing to progress the AAP through the development plan process will delay Derby Cityscape from marketing the site, ultimately delaying the appointment of a preferred developer and the subsequent regeneration of the Castleward area.

There is also less certainty of an Inspector finding the AAP 'sound' in advance of the Core Strategy. Further progression of the AAP will also divert resources away from the development of the Core Strategy.

- 5.2 Amend AAP proposals to reflect the NHS Trust's proposals: Owing to the ongoing concerns with the proposals, it is not felt appropriate to amend the AAP Preferred Option at this time.

For more information contact: Background papers:

List of appendices

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CCEFAAP Preferred Option Summary Document
CCEFAAP Preferred Option Report
CCEFAAP Sustainability Appraisal
Appendix 1 – Implications
Appendix 2 – Amended 'Preferred Option' Proposals Map
and Key Principles Summary

IMPLICATIONS

Financial

- 1.1 The implementation of the proposals for this area may incur costs in the future. These will be subject to discussions with Derby Cityscape and its partners and will be reported separately when appropriate.

Legal

- 2.1 Preparation of the AAP was carried out under the Town and Country Planning Regulations (Local Development) (England) Regulations 2004.

Personnel

- 3.1 The personnel resource implications of preparing the AAP were considered in drawing up the Council's Local Development Scheme.

Equalities Impact

- 4.1 The Sustainability Appraisal which accompanied the preferred option report considered the social implications of the AAP's proposals and has suggested mitigation measures for any issues there may be. The regeneration proposals outlined in the Preferred Option Report will also have implications, in relation to job creation, making environmental improvements and in terms of improving accessibility. The specific impacts of individual proposals will be considered through the detailed design processes and/or the planning application process.

Corporate objectives and priorities for change

- 5.1 The AAP proposals predominantly come under the Council's Objectives of making us proud of our neighbourhoods, creating a 21st century city centre and leading Derby towards a better environment.