

# **CENTRAL SERVICES CABINET MEMBER MEETING**

## **Agenda Item 47**

Brighton & Hove City Council

<b>Subject:</b>	<b>Hangleton Bottom – Update</b>		
<b>Date of Meeting:</b>	<b>18 January 2010</b>		
<b>Report of:</b>	<b>Director of Finance &amp; Resources</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Angela Dymott</b>	<b>Tel: 29-1450</b>
		<b>Richard Butler</b>	<b>29-1440</b>
	<b>E-mail:</b>	angela.dymott@brighton-hove.gov.uk	
		richard.butler@brighton-hove.gov.uk	
<b>Key Decision:</b>	<b>No</b>	<b>Forward Plan No: N/A</b>	
<b>Wards Affected:</b>	<b>North Portslade</b>		

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To seek permission to test the market and explore the options available to the council through the development of an informal planning brief and marketing exercise on this council owned strategic site. The site has been identified as a development site with a mix of uses to include community and potential waste management uses. Since 2008 there have been some expressions of interest in the site from Commercial waste operators and from the South East Coast Ambulance Service NHS Trust seeking new accommodation as part of their “Make Ready” Strategy. The market testing will enable us to see what future proposals could be forthcoming for the comprehensive redevelopment of this site that could benefit the City and achieve a number of strategic and corporate priorities. The report is complemented by a report in Part Two of the Agenda. See Appendix A for site plan.

#### **2. RECOMMENDATIONS:**

- 2.1 That the Cabinet Member approves the suggested approach to marketing and creating an informal planning brief for this council owned site as set out in the report.
- 2.2 That the Cabinet Member notes that, following market testing on the basis of an informal planning and development brief, a further report will be prepared setting out the results and future potential options for the redevelopment of the site for Cabinet consideration.

#### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Hangleton Bottom is a council owned site allocated in the Local Plan and Waste Local Plan for the provision of waste facilities. The allocation is saved until replaced by relevant policies in the Waste and Minerals Development Framework and the site is highly likely to be retained in the Local Development

Framework and the Waste and Minerals Development Framework for this purpose. The site is located south of the bypass and west of Hangleton Link Road and comprises several fields let for grazing and a compound occasionally used for travellers with welfare needs. The site totals 3.3 Ha (8 acres) and is shown by bold edging on the plan attached to this report. (See attached plan at Appendix A.) The site is not within the designation order for the intended South Downs National Park. When the park is formally brought into effect in April 2010 the Area of Outstanding Natural Beauty (which largely covers the same area) will be revoked. The Local Plan does require any development on this site to take account of views from the national park and requires a sensitive development which pays attention to its impact on the landscape.

- 3.2 Sites for the development of waste facilities are in short supply therefore they comprise an important strategic asset. So far the focus for waste has been on management of municipal (primarily household) waste which is the subject of the Waste Private Finance Initiative (PFI) involving Brighton & Hove City Council, East Sussex County Council and Veolia. However the Government is encouraging closer ties between the commercial sector and municipal waste handling and treatment and councils have some responsibility to ensure organisations and business can make arrangements for the collection and disposal of their waste. With the closure of landfill sites in the area and lack of alternative waste management facilities, producers of commercial and industrial waste may struggle to make such arrangements.
- 3.3 Commercial and industrial waste from shops, hotels, restaurants etc and construction and demolition waste in the City is handled by several companies via private contracts with local businesses. They may undertake collection, recycling, waste transfer and removal to energy recovery and landfill - depending upon their particular contracts. Accordingly they are faced with similar pressures to the Council as landfill sites approach capacity, landfill tax increases (which is intended to encourage diversion from landfill) and the rising cost of transport to licensed management facilities. The lack of facilities in the City could lead to increased costs for local businesses in the City for dealing with their waste. As a comparison, commercial and industrial waste arising in the City for 2007 - 08 amounts to approximately 252,000 tonnes a year whilst household and street waste amount to approximately 114,000 tonnes a year.
- 3.4 Since 2008 there have been a number of expressions of interest in the site from commercial waste companies and interest has also been shown from the South East Coast Ambulance Service NHS Trust (SECAMB). Preliminary discussions have been held with the latter organisation and South Downs NHS Trust (SDNHS) for an alternative ambulance station site. There is also an identified need for the provision of community facilities in the Benfield locality and the development of Hangleton Bottom presents an opportunity to achieve that objective within a co-ordinated designed and developed mixed use scheme.
- 3.5 As yet none of the proposals have been worked up in any detail but the combined requirement from these external organisations could be between 2.0 -3.0 Ha (5-7.5 acres) plus the space required for community needs. In the absence of detailed designs for any components of the development it is difficult to speculate about size and configuration but there is a need for a co-ordinated approach to the development of the site to achieve the best possible

use. There is a clear need for a strategic facility to deal with a significant proportion of commercial waste generated in the City and Hangleton Bottom is therefore a key site being one of the only identified sites capable of accommodating a strategic-sized waste recovery facility, although it is not for the planning system to specify what type of technology the facility should use.

- 3.6 Whilst some requirements have been identified it is not clear what other waste companies are doing to address the demise of local landfill capacity for non-inert waste (which most commercial waste is) and the lack of industrial sites suitable for processing construction waste. In addition work needs to be done to assess the true potential of this site to meet the various needs identified so far. The intention is to work up a marketing strategy together with an informal planning brief to include possible waste and other uses - for example ambulance (office/industrial) and community use. The brief will seek to address the City's needs for a strategic facility, ensure added value from the use of the site and that as far as possible the waste use is targeted to dealing with waste generated within the City rather than net importing of waste.
- 3.7 The brief will also set out design guidance that any development must follow to minimise the visual impact on the adjoining South Downs National Park and to ensure a high quality of development on site. Not only will this set the parameters for expressions of interest but the marketing process should identify any demand and facilitate more informed consideration of the development of this site. A key consideration will be the adoption of a co-ordinated approach to the use and development of a site in a mixed scheme providing multiple benefits for the City. Planning, transportation, environmental and waste colleagues will be fully involved in working up the brief which will not only provide a framework for marketing and development but also a vehicle for consultation with the public. This will be vital given the lessons learnt regarding the level of consultation necessary both before and after planning consent was granted for the waste facilities at Hollingdean Lane.

#### **4. CONSULTATION**

- 4.1 Initial internal consultations have been held with City Planning, Transportation, Waste Collection and Disposal Authority, Finance and Legal and relevant members. Whilst not a consultation requirement at this stage of the property protocol on disposals, ward councillors have been advised of this report and our initial intentions to market test the site and will be consulted under the property disposal protocol consultation timescales once the results and future options have been assessed following the marketing of the site and prior to Cabinet approving a decision to sell. Further consultations will also be required under the property disposal protocol with potentially interested external parties as they emerge through the process and extensive public consultations will be required through the Local Authority Planning process.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The value of the site has yet to be determined, however, given the nature of the facilities and the transaction at Hollingdean Lane it is envisaged that

industrial land values would form the background of any land deal although with waste sites in short supply the ultimate settlement could be at a higher level. Developers would be required to contribute to infrastructure and s.106 requirements which would include the provision of the community facilities.

Any capital receipt generated from the disposal of the site would be used initially to offset the loss of income with the remainder used to support the corporate Strategic Investment Fund

*Finance Officer Consulted: Rob Allen*

*Date: 10/12/2009*

Legal Implications:

- 5.2 The Cabinet Member Meeting would be properly discharging an executive function in giving authority to the proposed marketing and options available as to the future use of the site in question at Hangleton Bottom. Only the Cabinet has authority to make any subsequent decisions to dispose of the land in question.

If, in relation to this proposal, there are any future recommended changes to the Local Development Framework and the Waste and Minerals Development Framework, these would have to be approved and adopted by Full Council.

*Consulted: Lawyer: Oliver Dixon*

*Date: 23/12/2009*

Equalities Implications:

- 5.3 The key equalities implication for the use of this site is to ensure that it meets identified waste and community needs.

Sustainability Implications:

- 5.4 The appropriate use of this site has the potential to address long term strategic waste requirements. Commercial operators will need to identify their developing needs to deal with the city's commercial and industrial waste whilst the Council seeks to identify its own longer term requirements. Such a co-ordinated approach is more likely to ensure that the correct facilities are provided and the on going costs of transportation to more distant landfill sites are limited as far as possible.

Crime & Disorder Implications:

- 5.5 The intention to seek the provision of community facilities on the site is aimed at helping address local needs thereby lessening the potential for anti- social activity. Whilst the problem of "fly – tipping " is widespread the better the system for dealing with waste in the city including well placed local facilities the greater the chance there is of reducing this problem

Risk & Opportunity Management Implications:

- 5.6 The key risk to avoid is the loss of this important waste site which should be used in the most effective way to meet city waste and other identified requirements. Whilst it is vital to establish the level of demand by exposing the site to the market the subsequent use and development of the site must address identified and potential needs from the city. With regard to the ambulance service, if a relocation site is not soon identified the redevelopment of the Elm Grove site could be significantly hampered. A co-

ordinated mix of uses stands the best chance of securing the optimum development of the site.

Corporate / Citywide Implications:

- 5.7 A well thought out and co-ordinated strategic approach to the development of this site could ensure the provision of suitable waste facilities and other uses to meet City requirements and provide a new base for the ambulance service both of which could benefit the entire City.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 Land allocated for waste facilities within the City is extremely scarce with the only other site being a 1.9 Ha (4.7 acre) site at the former Hove Goods Yard off Sackville Road which is indicated in the Waste Local Plan for waste and potential waste transfer by rail. This could accommodate waste operators although it has previously been dismissed by one. Furthermore, it is currently occupied and we have no control over its release as it is not a Council owned site. Potential alternative sites are being evaluated through the work on the Waste and Minerals Development Framework but realistic, deliverable options in the City are likely to be extremely limited.
- 6.2 Whilst it is not a requirement on the council to provide sites for commercial waste operators, it is the planning authority's responsibility to identify and facilitate the release of sufficient sites to deal with the City's waste. With a scarcity of sites for recovery facilities and landfill opportunities disappearing soon it is in the City's interest to help provide an effective local solution for dealing with its commercial and industrial waste. Commercial waste contractors are of course free to seek their own alternative solutions outside the City but these could have implications for dealing with waste generated in the City e.g increased costs because of haulage the impact of which would be passed onto local businesses. It is also important that the City takes responsibility and plays its part in managing waste within its boundaries where possible rather than relying on exports to surrounding areas.
- 6.3 There are no other sites with the unique benefits of Hangleton Bottom, namely its waste allocation in an adopted plan, its access to the A27 and strategic road network and its availability for development. Although a range of ideas have been considered for the site's development in the past its waste allocation has always been a key determining factor in limiting the development aspirations. The present proposals present an opportunity to identify demand more clearly and pursue an opportunity to facilitate the mixed development of the site whilst meeting several key objectives via a mixed use scheme. This would be of great benefit to the city and has the potential to make progress despite the current economic uncertainties because of the type of uses envisaged and the needs they address.
- 6.4 Other sites have been rejected by SECAMB, mainly on planning and availability grounds although one alternative could have been to accommodate the entire ambulance station facility at the Council's Patcham Court Farm(PCF) site that has a planning designation for high tech business uses or general office use with consideration given to other uses which meet the council's priorities in relation to employment. An informal planning brief has been issued on PCF indicating potential ancillary uses could include a hotel. The SECAMB proposal contains a

large workshop element and could take a considerable portion of the site, inhibiting office development on the remainder thereby significantly reducing the potential capital receipt and conflicting with the adjoining Patcham Village Conservation Area. The possibility of splitting the ambulance facility to accommodate the office element on PCF and the workshop element at Hangleton Bottom was ruled out as unsuitable by SECAMB.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The need for both the waste and ambulance facilities is pressing and of importance to the City as a whole. Hangleton Bottom is one of the key sites which could potentially accommodate these uses and meet local community requirements. However, the full extent of the demand for the site is unclear and the site represents a finite resource. For this reason a clear corporate decision on the future use options and marketing of the site is needed to facilitate the preferred way forward. The first steps will be to prepare a marketing brief, to include an informal planning brief that will set parameters for the development and expose the site to the market to assess in greater detail the requirements of waste operators. At the same time the brief will encourage a holistic approach to the site by way of a mixed use scheme to optimise the use of available space to meet local and citywide requirements. This market response will inform the subsequent decision making process about the development of Hangleton Bottom. The process will also assist in the assessment of the potential value of the site in what is a specialised market.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Appendix A: Site Location Plan

### **Documents In Members' Rooms**

1. None

### **Background Documents**

1. None