

## **Report to the Cabinet**

**Report reference: C-129-2007/08.**

**Date of meeting: 14 April 2008.**



**Epping Forest  
District Council**

**Portfolio: Planning and Economic Development.**

**Subject: Loughton Broadway, Debden.**

**Responsible Officers:**

John Preston	(01992-564111).
Paul Sutton	(01992-564119).
John Gilbert	(01992-564062).
Kim Durrani	(01992-564055).

**Democratic Services Officer: Gary Woodhall (01992-564470).**

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### **Recommendations/Decisions Required:**

- (1) To agree the final version of the Development and Design Brief for Loughton Broadway for public consultation, beginning 1 May 2008 and lasting approximately 8 weeks;**
- (2) To consider the short-term issues surrounding the redevelopment of the Sainsbury's site and the implications for specific clauses set out in the existing Section 106 agreement;**
- (3) To agree the implementation of the town centre enhancement scheme for Loughton Broadway; and**
- (4) To agree that the off street car parks situated at the Broadway Loughton (as described in The Epping Forest District (Off Street Parking Places) Order 2003 (as amended) as Car Parks C, D, E and F ) be made available to the general public through the introduction of a short stay pay and display regime;**
- (5) That the Director for the Environment and Street Scene (in conjunction with the Director of Corporate Support Services), pursuant to recommendation (4), be authorised to:**
  - (a) publish a draft Traffic Order for changes to the status of the car parks; and**
  - (b) make and seal the Traffic Order if no objections are made to the draft order**

### **Background:**

1. The Cabinet meeting of 3 September 2007 agreed that consultants should be appointed to undertake a Development and Design Brief for the Loughton Broadway area. The Brief will spell out what the Council intends to achieve through the regeneration of a number of key sites in the area, and the importance of achieving an integrated, phased development.
2. Urban Practitioners, together with CB Richard Ellis (property) and Colin Buchanan (highways), were appointed at the end of November 2007 with a four-month programme to complete the brief.
3. As part of the preparation of the Brief, the consultants held a "stakeholder workshop"

on 11th February 2008 to present their initial ideas and development concept. This was a well-attended event that generated many ideas and provided useful feedback to the consultants to take the project forward.

4. The final version of the Brief has now been completed and copies have been circulated to members of the Cabinet and senior officers. An executive summary of the development concepts contained in the Brief is attached at Appendix X.

#### **Petrol Filling Station Site:**

5. It should be noted that the site at the junction of The Broadway and Chigwell Lane (on the south side), currently occupied by the BP petrol filling station, is shown in the Brief as a key development site with potential for a new landmark building at the entrance to the Broadway. It is however, recognised that the current use of the site provides an important service to the local neighbourhood and beyond. It will be necessary, as part of the consultation on the Brief, to look at alternatives for the provision of a similar facility within the Debden area.

6. Endeavour (uk2) Ltd., who own a long lease on the adjacent retail site (including the Sainsbury's store), have suggested that the petrol filling station facility would remain as part of their proposals for the redevelopment of these key sites. Such a scheme would clearly be contrary to the urban design principles and development aspirations set out in the Brief.

#### **Sainsbury's:**

7. The existing Sainsbury's store in Torrington Drive is tied in to a planning legal agreement relating to the recently developed Sainsbury's store in Loughton (Station Road). This agreement requires the Loughton Broadway store to remain open until 2013, and if the site is developed, then a replacement store of specific size and quality must replace it within the defined Loughton Broadway town centre. Seven years ago, Members were very clear that they wanted a 10-year arrangement (rather than the 5 year original suggestion), to keep this store open when the Station Road site opened. The reasons for this, in terms of protecting the importance of this food store to the functions of the Broadway, and reflecting local needs for everyday shopping, do not appear to have gone away. The store has helped as an anchor.

8. Endeavour (uk2) Ltd own a long lease on this key "gateway" site at the entrance to The Broadway and the Brief identifies this site (together with the petrol filling station site) as critical to the redevelopment of the area. In terms of phasing, it is felt that these sites would be part of a first phase and would help to "kick start" the regeneration of the area. The Brief also recommends that the sites should be redeveloped to provide a landmark building of the highest architectural quality within a wider mixed use development including a new supermarket, residential and leisure uses.

9. Recent communications between the Director of Planning, Endeavour and Sainsbury's, suggest that Sainsbury's is considering a refurbishment programme for the current store, costing around £750,000. Clearly, if Sainsbury's were to carry out such a refurbishment, then it may make it impossible to pursue a comprehensive redevelopment of the site and adjoining sites. It has been suggested to Sainsbury's that they should consider providing a statement outlining their position and intentions in respect of the refurbishment and the clause in the section 106 Agreement, although at the time of writing this report, no statement has been received.

10. Members are asked to consider the position in respect of the clause in the planning agreement requiring Sainsbury's to keep their store in Torrington Drive open until 2013, given the contents of the Brief and anticipated phasing of redevelopment opportunities. A potential solution may be to remove the requirement for Sainsbury's to keep their store open until 2013 (by rescinding that clause in the agreement), but only once planning permission has been granted for the redevelopment of the site – at which time a further section 106 agreement

could seek to ensure that the store stayed open for as long as possible until the development of the site commenced.

11. It should of course be noted that any decision to rescind the clause in the section 106 agreement in respect of the Sainsbury's store would have to be taken by District Development Committee, not Cabinet.

### **Broadway Town Centre Enhancement Scheme:**

12. Cabinet has approved a sum of £3,174,500 to undertake the enhancement scheme. Works commenced on site in October 2006.

13. The scheme is being undertaken in two phases:

(i) Phase 1 – works to the Burton Road car park, and CCTV to the scheme as a whole; and

(ii) Phase 2 – the substantive enhancement works to the Broadway itself and to the other minor car parking areas.

14. The phase 1 works are substantially complete, in terms of the works to the Burton Road car park. A project team is charged with ensuring that costs remain within budget, and that where additional works arise (known as “compensation events”) steps are taken to reconsider design elements in order to find compensatory cost savings.

15. The commencement of phase 2 of the scheme has been delayed whilst an agreement was sought with National Grid Gas (NGG) in respect of working in proximity to their medium pressure gas main, which lies underneath the central reservation of The Broadway. NGG has now agreed the Council's method statement for working and subject to concluding the necessary agreements with the County Council (i.e. section 278 and technical approvals) the scheme is ready for final Cabinet approval and has an estimated cost of £1.787 million (see table in resources section of report).

16. However, the Development and Design Brief identifies one of the strengths of The Broadway shopping centre as being convenient on-street parking. The consultants have expressed some concern that the proposed enhancement scheme entails the removal of 24 of the existing 60 on-street car parking spaces, which could be potentially damaging to the attractiveness of the area for short shopping trips. Furthermore, they have also suggested that it may be advantageous to increase the build-out of the pavement on the north side of The Broadway, which has a better aspect and is therefore more suitable to pavement cafes and restaurants etc, and to retain more on-street parking on the south side. The deletion of one of the pavement build-outs on the south side could retain 6 parking spaces, which would mean an overall loss of some 18 spaces instead of 24 and also achieve a commensurate saving to the overall cost.

17. However, any agreed proposals arising from the Design Brief will at best not be able to be implemented for 2 to 3 years. In the meantime it is important that the Council meets the commitment given to the local community to enhance The Broadway. The Town Centre Partnership and Focus Group have worked well with the Council to draw up a scheme, and much has been done to keep the project within budget. Any decision to remove elements of the scheme would be a source of disappointment, and it is considered that the existing TCE proposals can proceed without prejudicing the potential longer term benefits of the redevelopment of several key sites in the Broadway area, and their ability to improve and enhance the character and attractiveness of the area. Cabinet is accordingly recommended to proceed with the enhancement scheme currently drafted.

18. The design brief raises some concerns regarding the loss of on street car parking from changes to the pedestrian areas in the centre of the scheme. It is considered by officers that to amend the current proposals to retain this parking would seriously compromise the

scheme as a whole. However, there are local parking pressures which have increased following the introduction of pay and display in the Burton Road car park and permit only parking in the other off street car parks. In order to manage this pressure it is recommended that short stay pay and display be introduced into the other off street car parks thereby providing additional capacity for those visiting The Broadway whilst still allowing their use by business and resident permit holders. The recommendations propose that amendments are made to the Council's Off Street Parking Order accordingly. Authority is also sought to allow the Director of Environment and Street Scene to make and seal the amendment order required without recourse further to members subject to no objections being made following the publication of the draft order.

**Statement in Support of Recommended Action:**

19. The Development and Design Brief will ensure that the best possible community gains and environmental enhancement of the area are achieved, and provide useful guidance to Council officers and Members to assist in the determination of future planning applications.

20. The TCE scheme can be successfully delivered without compromising any future proposals arising from the design brief. The local community has eagerly awaited the scheme and proceeding at this time will demonstrate the Council's commitment to improving the local environment and assisting local business whilst the design brief proposals are being considered.

21. The introduction of short stay pay and display parking in the off street car parks, to supplement the existing Burton Road and on street provisions will help to manage current parking demand for visitors to The Broadway

**Other Options for Action:**

22. Doing nothing will not produce the benefits or achieve the uses and developments that Members may wish to see for this important part of Debden. There is the prospect of major development that can improve and enhance facilities for local residents, and reinforce the social and economic vibrancy of this part of the town centre, including facilities owned by the Council. There is also the prospect of new residential and commercial uses, as well as social housing.

23. Delaying the TCE scheme at this time, given the likely timeframes for the delivery of the design brief, will not assist local businesses in the intervening period. Not providing additional flexibility in the local off street car parks will mean that they remain under utilised whilst there is a demand for additional short stay parking provision.

**Consultation Undertaken:**

24. Stakeholder Workshop on 11<sup>th</sup> February 2008 and previous consultation exercises on the original and revised TCE scheme.

**Resource Implications:**

**Budget Provision:** Consultants fees are to be met from the existing Local Development Framework DDF budget provision. Current capital allocation for the TCE scheme is as follows:

Budget allocation	£ 3,174,500
Less Costs incurred on Phase 1	(£ 1,300,721)
Balance available	£ 1,873,779
Total cost of delivering Phase 2 in 2008	£ 1,786,757
Costs of appointing project supervisor	£ 37,000
EFDC Design Division charges	£ 20,000
Balance	£ 30,022

**Personnel:** From within existing staff resources.

**Land:** The study area for the Brief includes a number of sites, most owned by the District Council and TfL, although the Sainsbury's site is subject to a long lease to Endeavour.

**Council Plan 2006-10/BVPP Reference:** EP3.

**Relevant Statutory Powers:** None.

**Background Papers:** None.

**Environmental/Human Rights Act/Crime and Disorder Act Implications:** N/A.

**Key Decision Reference (if required):** Yes – Broadway TCE Scheme refers.