

North East Derbyshire District Council

Cabinet

29 February 2024

'UNLOCKING' THE AVENUE SOUTHERN ACCESS

Report of Councillor J Barry, Portfolio Holder for Growth & Assets

Classification: This report is public

Report By: Assistant Director of Regeneration and Programmes

Contact Officer: Assistant Director of Regeneration and Programmes

PURPOSE / SUMMARY

The report provides Cabinet an update on recent progress towards 'unlocking' The Avenue Southern Access and recommends the project is a regeneration priority for the Council.

RECOMMENDATIONS

1. That Cabinet note the recent progress in 'unlocking' The Avenue Southern Access.
2. That Cabinet approve further officer resource and undoubtedly further investment from the Council (on a business case by business case basis), to complete The Avenue development, as outlined in the report, as a regeneration priority.
3. That Cabinet support The Avenue being discussed and promoted to partners and funders as the Council's priority regeneration scheme.

Approved by the Portfolio Holder – Cllr Jayne Barry, Cabinet Member for Growth and Assets

IMPLICATIONS

Finance and Risk: Yes No

Details:

The report establishes a strategic priority and highlights the need for further investment in the future. However, any future investment will be considered on a business case by business case. Cabinet are not committing to any financial investment through this report and any future investment will be subject to the relevant approvals at that time.

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes

No

Details:

The report outlines a number of high-level development projects which will have their own legal challenges, as every development does (Title issues, contracts, etc).

These will be considered on a case-by-case basis and therefore, there are no concerns raised through this report.

On Behalf of the Solicitor to the Council

Staffing:

Yes

No

Details:

The report provides strategic direction for officers across the Council but all within existing staffing resource therefore, there are no staffing concerns raised from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	Wingerworth
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet <input checked="" type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Leader briefing Portfolio Holder Briefing Cabinet member consultation

Links to Council Plan (NED) priorities, including Climate Change, Equalities, and Economics and Health implications.

A place where people enjoy spending time.

Increase biodiversity across the District.

A place to live that people value.

Continually improve council services to deliver excellence and value for money

REPORT DETAILS

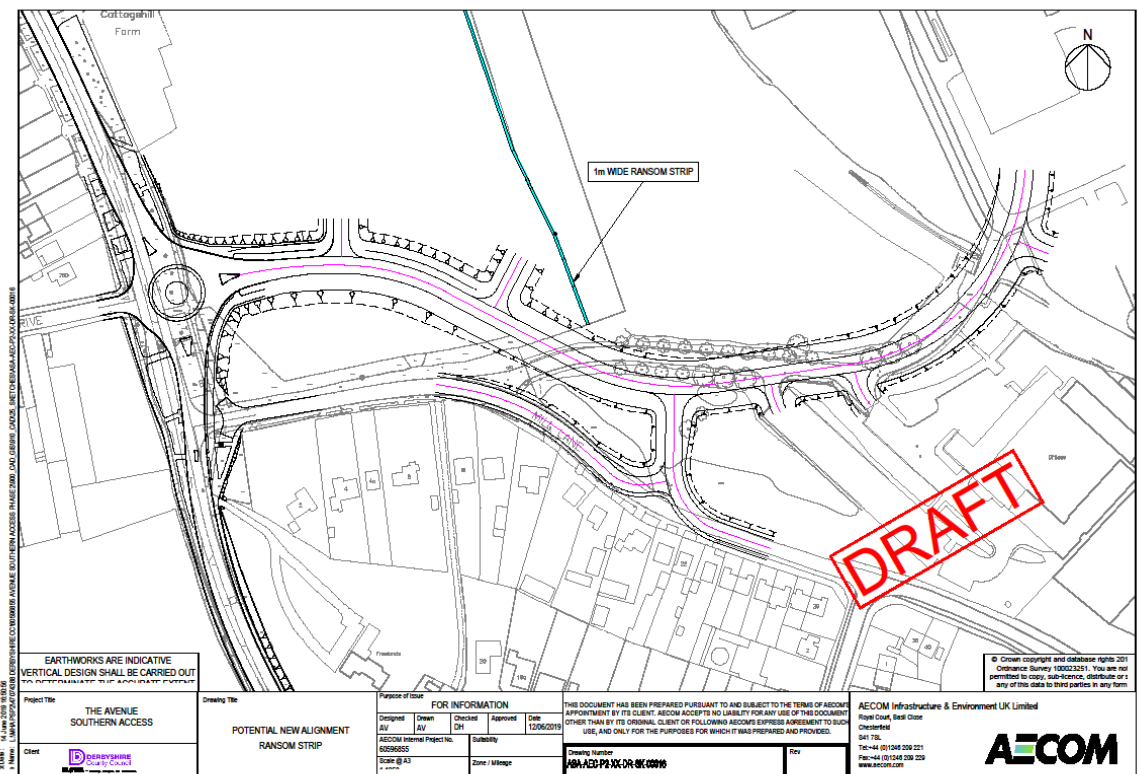
1 Background

- 1.1 The [Avenue Area Strategic Framework \(AASF\)](#) was adopted by the North East Derbyshire County Council's Cabinet in March 2013. The framework provides place-making and design guidance on the suitability and spatial arrangement for the use of the land covered by AASF and associated design guidance that new development will need to address.



Illustrative Masterplan - AASF

- 1.2 From going into public ownership in 1999, The Avenue has been transformed from one of the most polluted sites in Europe to a mixed-use development of sports pitches, nature reserve, housing development, school and commercial uses. Development to date has all been delivered through the northern access, as defined in the AASF, and through Homes England who were the major land owner for that part of the development.
- 1.3 The Avenue strategic project is one of the most ambitious and effective remediation projects ever undertaken in the UK. This has been achieved through over £185m investment of public money, strong partnership working between NEDDC, DCC and Homes England and a genuine One Public Estate approach. More details of the project can be found here: [The Avenue Landscaping and Remediation Project – one of the UK's most significant brownfield projects - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- 1.4 Homes England have just taken to market their final phase of residential development, with Strata homes now pursuing the development through a planning application. This report considers how NEDDC, as major landowner of the Southern part of the site, can unlock and deliver the Southern Access, a collection of sites known as Mill Lane Development Land, Pioneer House and the associated infrastructure.
- 1.5 In recent years, the main challenge with unlocking the Southern part of the site has been the strategic drive from partners to deliver a roundabout on the Southern Access (Mill Lane). As demonstrated in the image below, technically, a roundabout can be delivered in that location, at a cost estimated to be £6m and with the inclusion of third-party land which is under option to Taylor Wimpey.

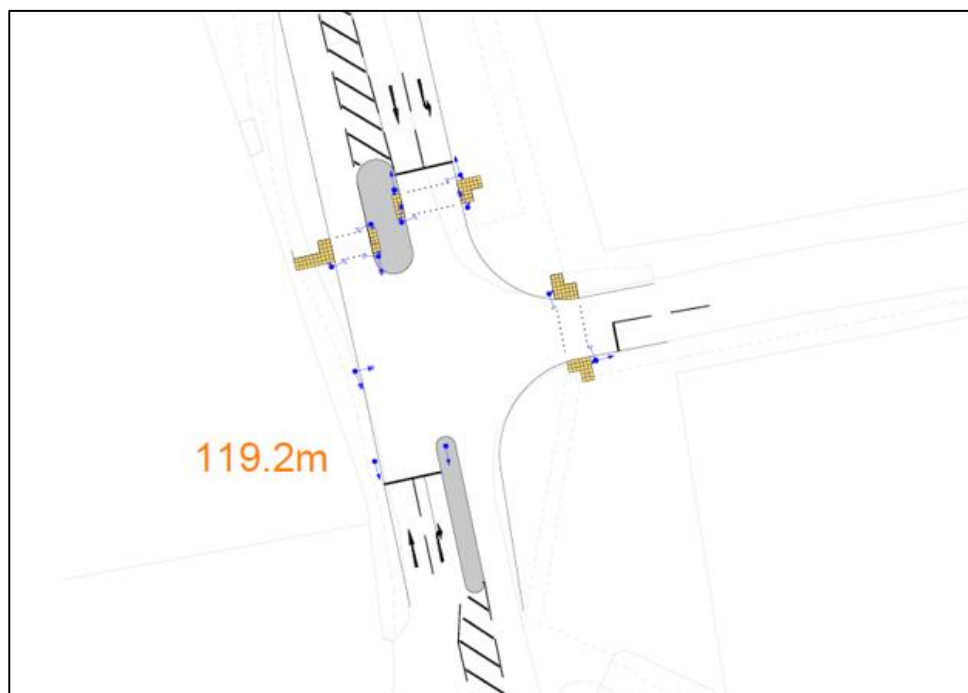


1.6 Derbyshire County Council secured planning permission for the roundabout in 2019 however, delivery of the access has been delayed by:

- The estimated £6m cost of the roundabout – whilst £302,000 S106 monies is available, there remains a considerable gap.
- Making the Taylor Wimpey site unviable – the third-party land take of the Taylor Wimpey development reduces the viability of their development by reducing the number of deliverable houses by approximately fifteen.
- Creating a potential ransom strip for other developments that would benefit from the improved access – in 2021, following consultancy support from Savills, Cabinet were advised that the ransom was high risk and likely to reduce NEDDC land values so significantly that using the land for biodiversity was recommended (but not agreed).

1.7 In order to unlock and progress the Southern Access, NEDDC commissioned WSP, highways consultants, to provide up to date traffic information and develop proposals for a more deliverable solution to the Mill Lane junction. The work was done in consultation with the Highways Authority and the outcome was:

- A roundabout is not the best solution to the problem.
- The northern roundabout has enough capacity to develop the Council owned development site, without the need of a southern access.
- The best technical solution is 3-way traffic signals. The estimated cost being £0.6m (Rather than £6m for the roundabout).
- The signalised junction will also be a better solution for all road users, will require a speed reduction on this stretch of the A61 improving safety, and will improve pedestrian movement across the A61.
- The traffic signals can be installed on existing highway land, removing the need for third party land and therefore, a ransom. (Savills suggested £3.2m to buy out the option and ransom).



- 1.8 In addition to the above, the solution also unlocks Taylor Wimpey's site. In consultation Taylor Wimpey say:

"Historically the Council have considered that a roundabout would be required which would cut through Taylor Wimpey's interest, significantly impacting on our potential development area, plotting efficiency, and development costs on a site that is already significantly constrained from a levels and remediation perspective.

The resulting design uncertainty and viability impact has caused significant delays with two live planning applications that are running on the affected land. Previous discussions and historic draft S106 agreements have strongly suggested that the site viability is unviable with policy compliant affordable housing and would not allow the scheme to come forwards. The change from a roundabout solution to a new signalised junction scheme would significantly improve this position, firstly by allowing TW to progress the detailed design with certainty of layout and highways capacity, and secondly by allowing a significantly increased net developable area and improved internal layout efficiency, without the need for sterilised land and unnecessary design constraints.

Initial sketches with a TW access direct off the A61 show that the impact is not just in reduced build cost but also in excess of an additional 15 development plots, in that there is an extra c.1acre of development land and increased plotting efficiency, with the amended layout being able to follow the existing field boundaries and road network."

Assessment of Derbyshire County Council's Highway Development Control Team Leader of the signalised junction proposal stated:

"The optimum solution would appear to be a signal scheme serving the A61 with the Avenue only. Nottingham Drive would remain as a priority junction. This is the scenario recommended by WSP. Having reviewed the modelling output report, we would concur with its findings.

Derbyshire County Council would therefore support the provision of traffic signals at the junction of the A61 with The Avenue, excluding the signalisation of Nottingham Drive."

- 1.9 The investment from the Council to identify a more deliverable solution for the Southern Access has significantly moved forward the completion of the Southern Access, finalising The Avenue regeneration project. NEDDC now needs to progress the developments and installation of the traffic signals, as outlined below.

2. Details of Proposal

- 2.1 The Council has a number of strategic regeneration projects where its resources could be used to progress the schemes; these are:

Transport

- A61-A617 Link Road
- A61-Mill Lane Junction
- Clay Cross Rail Station

- Killamarsh Rail Station

Employment

- Coalite, Duckmanton (Mixed use)
- Dronfield Business Park

Residential

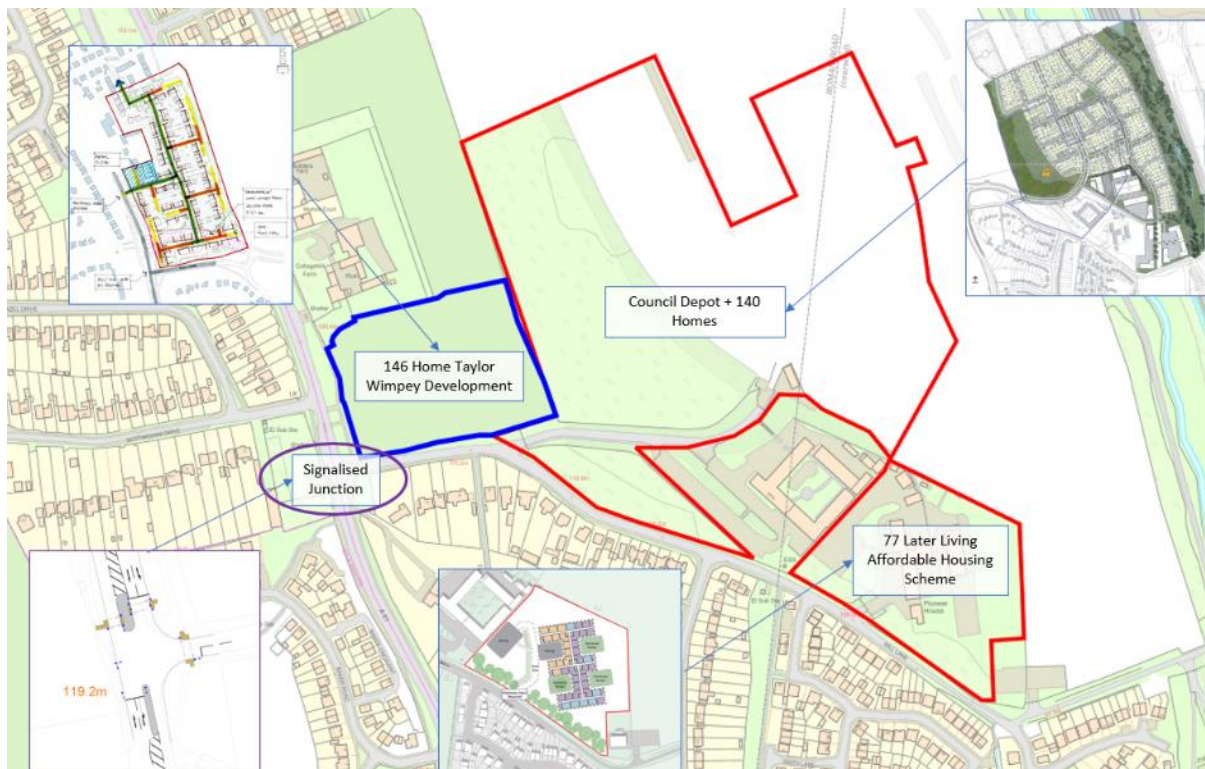
- The Avenue
- Coalite, Duckmanton (Mixed use)

Town Centres

- Clay Cross
- Eckington
- Killamarsh
- Dronfield

2.2 Based upon deliverability and cost benefit (Outputs vs the cost to unlock), it is proposed that the completion of The Avenue Southern Access should be prioritised and the Council's own resource (Officer time) and other public funding sources, should be utilised to bring the developments forward in the short to medium term.

2.3 Should all development be deliverable, the Southern Access will deliver approximately 363 new homes (120 affordable housing), as illustrated below:

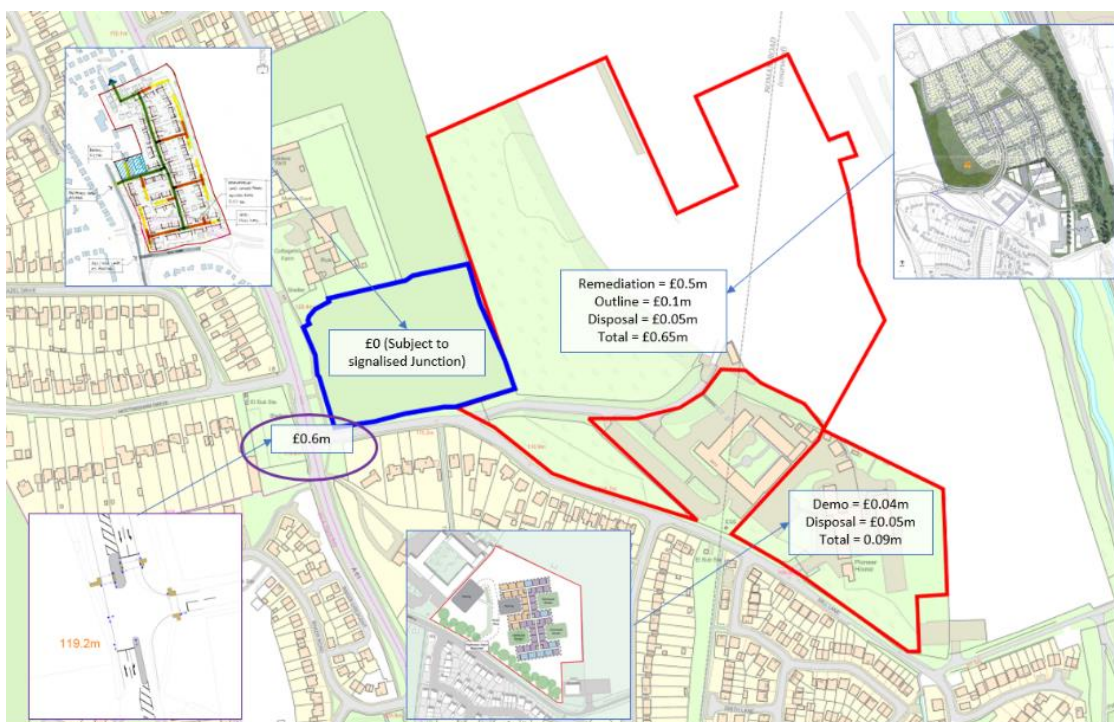


2.4 Amongst other things, the positive impact of this development is:

- **Economic:** Construction jobs, increased local spending, attracting investment, supporting wider regeneration efforts.

- **Social:** Creating mixed-income communities, supporting older people, fostering community spirit, tackling social exclusion.
- **Environmental:** Brownfield site redevelopment, improving green spaces and public realm, promoting sustainable design.
- **Placemaking:** Creating vibrant, attractive, and well-connected places with a strong sense of identity.
- **Public Services:** A modern Council Depot which facilitates the electrification of fleet and more efficient service delivery.

2.5 The image below outlines the indicative investment that is required to enable development (Not the cost to develop the sites). The total cost is in the region of £1.3m and covers a range of costs including design fees, demolition, disposal costs, junction improvements, etc.



2.6 Naturally, the Council has not got £1.3m available to fund these works alone. It is suggested that officers pursue funding opportunities with partners such as:

- Derbyshire County Council (S106, transport funding, OPE, etc)
- Mayoral Combined Authority
- Homes England

2.7 Given all the above, it is recommended that the completion of The Avenue development is the regeneration priority for NEDDC, and that officer resource is focused on enabling delivery.

2.8 Cabinet support the submission and resourcing of funding applications, outline business cases and any other such reports required to facilitate this (within existing budget constraints).

3 Reasons for Recommendation

- 3.1 The Avenue is one of the UK's most significant brownfield projects and the AASF and Local Plan identify the site as a strategic priority for North East Derbyshire District Council.
- 3.2 Over many years the Council, with partners, have transformed the site from one of the most polluted in Europe to a nature reserve and mixed-use development.
- 3.3 The Council has already invested heavily in the project through:
- Purchasing the former CPL site, ensure public ownership and enabling regeneration.
 - Clearing the warehouses, asbestos buildings, laboratory, and remediation of the site removing pollutants.
 - OPE project with Homes England masterplanning the southern part of the site 'ownership blind'.
 - Developing the alternative to a roundabout with support from Derbyshire County Council and highways consultancy.
 - Numerous hours of officer time, over many years, from concept, strategic planning, partnership working, acquisition, remediation, etc.
- 3.4 The recommendations in this report seek approval for further officer resource and undoubtedly further investment from the Council (on a business case by business case basis), to complete The Avenue development as a regeneration priority.
- 3.5 Finally, this project is the regeneration of a polluted, brownfield site within the residential settlement of Wingerworth. Regeneration of brownfield sites:
- **Protects green spaces:** By using existing developed land, brownfield projects reduce the need for development on valuable greenfield areas, protecting biodiversity and ecosystems.
 - **Reduces soil and water contamination:** Remediation of brownfield sites can prevent further contamination of soil and water resources, improving environmental quality.
 - **Meets housing demands:** The site offers space for much-needed housing development, assist in mitigating the impacts of the current housing crisis.
 - **Regenerates urban areas:** Revitalising abandoned, and derelict sites fosters economic growth, attracts investment, and creates jobs, leading to urban regeneration.
 - **Improves infrastructure:** The Avenue development is upgrading existing infrastructure roads through DCC A61 improvements, utilities installing new electricity infrastructure for a green future a new school on site, etc.
 - **Enhances community wellbeing:** The washlands have become vibrant community space, supporting sports clubs and increased walking/cycling and overall quality of life.
 - **Biodiversity net gain:** The site offers unique opportunities for habitat creation, contributing to achieving significant biodiversity net gain.

3.6 The completion of the Southern Access enables delivery of high-quality homes, encompassing affordable and supported housing, to address rising demand. It Leverages brownfield site regeneration for sustainable housing expansion and accelerates the transition to Net Zero through increased energy efficiency, thermal comfort, enhanced sustainability, and future proofing homes for many years.

4 Alternative Options and Reasons for Rejection

4.1 Paragraph 2.1 outlines a number of regeneration projects that the Council will pursue over the life of the Local Plan, some more deliverable at this time than others. The Council could choose to prioritise one of these projects over The Avenue or decide not to progress any development around the southern access.

4.2 This has been discounted because the Council has significantly invested in The Avenue over many years and The Avenue is a strategic regeneration site locally (in the Local Plan), regionally and nationally. A decision not to complete the Southern Access as outlined in the Local Plan and various consultations and partnership discussions, could be considered negative and inflict reputational damage as a trusted partner in future regeneration schemes.

4.3 Not pursuing or significantly delaying the progress on the project would also put at risk the outcomes and outputs highlighted in the report.

4.4 Identifying The Avenue as the priority regeneration project does not mean resources will not be used to deliver ongoing schemes such as Clay Cross Town Deal, Dronfield Masterplan, etc or any of the pipeline schemes in 2.1. The prioritisation gives a clear strategic steer to officers and partners.

DOCUMENT INFORMATION

Appendix No	Title
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	
AASF – Avenue Area Strategic Framework	