

STATEMENT 08

City Centre & University AAP Public Examination

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Title:	Does Policy CC18 need to have more detailed guidance on the form of development expected? Should not the Council's proposal to relocate the Civic Centre and Council House be included in CC18?
Examination Session:	26th January 2010

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Issue to be Examined

1. The Inspector has asked the question, “Does Policy CC18 need to have more guidance on the form of development expected? Should not the Council's proposal to relocate the Civic Centre and Council House be included in CC18?”
2. The Council believes that the City Centre and University AAP is sound as submitted in relation to Policy CC18, because:
 - The detail contained in Policy CC18 is sufficient to provide a framework of principles to be used to assess development in this area over the plan period. The area is made up of sites with consent, sites with development potential, and sites where there is no evidence that development proposals may come forward. It is considered that it would not be possible to produce more detailed guidance for development in this area without producing detailed development plans for each site within the area. This would not result in the production of a concise and flexible framework for development. In addition, there is insufficient evidence at the present time to justify detailed development plans for the sites in this area which do not have planning consent.
 - The policy follows the approach used throughout the AAP of setting out key principles and priorities for development for an area of 'gradual change'. It indicates in lower case text some more detailed guidance for each site within the area. Further detailed plans should be set out in the 'follow on' documents which the Council intends to produce following adoption of the AAP. More detail on this is set out in Council Statement 03.
3. The Council believes that the City Centre and University AAP is sound as submitted with regard to the possible relocation of the Civic Centre:
 - At the present time, the Council's future plans for the Civic Centre are still being developed. Initial work examining the condition of the building suggested that it was not viable for the Council to remain in the building, and that the location of the Civic Centre was not the most appropriate for an office headquarters. It therefore resolved to move the Council functions to another location. The listing of the Civic Centre in 2007 triggered a review of these initial findings..
 - More detailed work is ongoing to ascertain whether it is economically feasible to refurbish the Civic Centre and for the Council to remain in the building, or whether the Council will still seek to relocate to another site. The work is not yet complete and so the Council is not yet in a

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position to decide its final approach to the Civic Centre.

- The Council is not therefore in a position to give a definitive statement regarding the future of the Civic Centre and Council House. If the AAP were to attempt to put in place a detailed proposal regarding the Civic Centre, the Council believes that such a proposal would be unsound due to lack of sufficient justification. Instead, the AAP presents a flexible position statement regarding the Civic Centre site which will allow the Council to produce a detailed delivery statement once the future role of the site has been decided. The AAP presents a clear view of the context of the site within the City Centre as a whole, to guide the Council's thinking on potential replacement uses, should a decision be made to relocate the Council functions to another site during the plan period.

Policy CC18 – General Approach

4. Policy CC18 is a 'gradual change' policy (see paragraph 3.16). This means that it covers a part of the City Centre where the Council expects to see changes, but where those changes are likely to take place over the longer term, and where the precise nature of the changes is unclear at the present time.
5. Policy CC18 therefore sets out a level of guidance which is appropriate to the role this area is expected to play in the renewal of the City Centre. The policy sets out:
 - The key policy objectives that the Council wants to see delivered by developments in this area – e.g. encouragement for the kinds of uses which are most appropriate to the west of Armada Way as set out in Strategic Objective 8, and elaborated in Policy CC18 itself.
 - The key priorities that development should deliver: for example a more comprehensive form of development which gives more attention to the relationship between sites, a better quality of design and creation of better pedestrian routes through the area towards Millbay and the Hoe, and the creation of areas of public space particularly around Derry's Cross.
6. The text then also sets out some more detailed information relating to each of the parcels of land within the area which could be considered for development (see paragraph 11.6).
7. This level of guidance follows the principle that the Council has used throughout the AAP for 'gradual change' policies. To put in much more detailed guidance would lead to an inconsistency within the AAP, and

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would lead to a policy which attempts to use 'blueprint planning' to cover individual parcels of land.

Policy CC18 – Nature of the Area

8. The sites which make up the area of the City Centre covered by CC18 are less uniform than other parts of the City Centre, and are at different stages in the development process, if they are currently part of a development site at all. The following points should be noted:
 - Some of the sites have either been recently developed, or are subject to planning consents and development has commenced. For example, the Oceanique development gained consent in 2009 and work has commenced on site (see Chapter 12, Figure 5 for details.) If more detailed guidance on such sites were included, it would simply repeat the terms of the consents, potentially limiting flexibility to alter the details of those consents in the future.
 - Other sites are subject to developer interest. The policy sets out principles which these schemes should use as proposals are worked up, and the policy text sets out the ideas which are presently 'on the table' which would be acceptable under the policy. Further detail on these sites would be expected to be produced in later delivery documents (see below).
 - Finally, there are parcels of land which are not subject to any developer interest at the present time. For these sites, there is no evidence that detailed policy guidance at this time would lead to a deliverable scheme. The policy therefore sets out the broad principles that a more detailed masterplanning process should seek to achieve if proposals were to come forward on these sites.
9. The policy therefore sets out principles and priorities which should be delivered by development proposals as they come forward. It also indicates, in text, how these principles may be realised on parcels of land within the policy area. This approach sets out a level of detail which creates a flexible policy framework for the development of more detailed plans following adoption of the AAP.

Further Policy Documents

10. As set out in paragraphs 12.6 and 12.7, the Council has devised the Area Action Plan as one of a sequence of policy documents which introduce more and more detail regarding how it wishes to see its objectives for the city delivered. This approach means that further, more detailed guidance on the implementation of AAP proposals and policies will be prepared

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following adoption of the AAP. This approach is discussed in more detail in Council Statement 02, where some potential improvements to the AAP are suggested to the Inspector.

11. Under this approach, it would be expected that detailed site briefs could be produced covering individual parcels of land within the CC18 area to ensure that development delivers the objectives set out in Strategic Objective 8 and Policy CC18. If a masterplan for this part of the City Centre is needed, the Council will produce one using the principles set out in the suggested improvements to the AAP included in Council Statement 03.

Proposals for the Civic Centre and Council House

12. At the present time the situation regarding the future of the Civic Centre can be summarised as follows:

- There is a Cabinet resolution setting out the Council intention to relocate its functions to a new building at Bretonside Bus Station. The adopted Sutton Harbour AAP contains a Proposal setting out a policy framework to guide this move.
- The Council's decision to relocate was closely related to the future reuse or redevelopment of the Civic Centre, and pre-dated the listing of the Civic Centre in 2007.
- The listing of the Civic Centre clearly changed the Council's approach to the Civic Centre, as it has had to take full account of the implications of the listed status.
- The Council has consistently been of the view, as set out in paragraph 11.4 and bullet point 7 of paragraph 11.6, that the Civic Centre building is in poor physical condition, is no longer fit for purpose and that its refurbishment and retention for offices is unlikely to be a financially viable proposition. The listed status of the building has clearly meant that that assumption needs to be robustly tested.
- Therefore, since 2007, the Council has been taking part in a detailed process with English Heritage and their preferred architects, to examine whether it is feasible to refurbish the Civic Centre. That process is ongoing and has not reached any firm conclusions. It is intended that it will eventually lead to a potential option which could allow refurbishment and retention of the Civic Centre and Council House, which can then be taken to the market to test whether it is economically feasible or not. However, no options have so far been tested sufficiently to be included as part of the evidence for this public

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examination.

13. Given this situation, it is clearly not possible for the Council to make a definitive decision regarding its future accommodation strategy, or the future of the Civic Centre and Council House. It therefore follows that there is no evidence to justify a proposal in the City Centre and University Area Action Plan setting out the future form of development on this site.
14. The AAP therefore treats the Civic Centre as it does the other parcels of land within the Policy CC18 area. It sets out the principles and priorities which development within this area should aim to deliver, and indicates any specific aspirations for the Civic Centre site within paragraph 11.6. It is considered that this provides the necessary flexibility for the Council to respond to the outcome of the process it is engaged in with English Heritage, when this is known.
15. Regarding the context of the Civic Centre in the wider City Centre, this is set out in bullet point 7 of paragraph 11.6. Clearly, the Civic Centre occupies a pivotal position at the crossroads of Armada Way and Royal Parade. It also has a potential relationship to Derry's Cross and the Theatre Royal. The AAP therefore suggests a range of uses which could take the place, if it turns out that the Council will relocate from the building. These uses would assist in providing a more lively frontage to Armada Way, and complement the leisure uses currently found in the Policy CC18 area, thus meeting the objectives and principles set out in Strategic Objective 8 and Policy CC18. Clearly, given the prominence of the site and its important position, once a clear position regarding the building's future has been established, the Council would intend to produce a site brief dealing with detailed interpretation of guidance (see Council Statement 03).

Conclusions

16. The Council believes that the AAP is sound as submitted:
 - Policy CC18 contains a level of guidance which is consistent with its status as a policy for 'gradual change', and which sets out clear priorities and principles to provide a framework for future delivery documents and development proposals to follow. Given this, and the variety of sites which exist within the policy area, it would not be appropriate to attempt to provide greater levels of detail which could stray into 'blueprint planning', be poorly justified by evidence, and harm prospects for delivery by creating an inflexible policy framework. More detailed policy guidance set out in documents to be produced later in the sequence (as set out in Council Statement 03) will include site

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briefs for key sites.

- Proposals for the Civic Centre and Council House are still emerging. The AAP sets out a flexible policy position which allows the Council to engage in a full and proper dialogue with English Heritage to decide how to resolve the issues relating to the building. There is not, however, sufficient evidence available at the present time for the AAP to include a detailed proposal for the Civic Centre and Council House site.