

Report to the Council Housebuilding Cabinet Committee



Report reference: CHB-018-2013/14
Date of meeting: 17 April 2014

**Epping Forest
District Council**

Portfolio: Housing

Subject: Future use of garage sites and other surplus sites unsuitable for redevelopment – Council Housebuilding Programme

Responsible Officer: Paul Pledger, Asst. Director (Housing Property and Development) (01992 564248)

Democratic Services Officer: Jackie Leither (01992 564756)

Recommendations:

1. That, should any of the development sites identified for Council housebuilding not be developable because:
 - i. They do not receive planning permission;
 - ii. They are not financially viable for the Council to develop based on a development appraisal; or
 - iii. The Cabinet Committee considers for whatever reason, the site should not be developed for Council housing,

Officers be authorised to consider the following options and submit a separate report to the Cabinet Committee to determine the future use of the site:

- b. To sell the site for social housing to a Housing Association in return for a capital receipt to fund future Council housebuilding and to gain nomination rights for Council housing applicants;
 - c. To sell the site for private development, either for residential or other use in return for a capital receipt to fund future Council housebuilding;
 - d. To divide up the site and sell the land to local residents to extend their private gardens in return for a capital receipt to fund future Council housebuilding;
 - e. To demolish the garages, re-surface and mark out the land and to leave the site as open car parking for local residents;
 - f. To sell the site to a Town or Parish Council for their own purposes (eg. public amenity space) in return for a capital receipt to fund future Council housebuilding; and
 - g. To continue to market and rent the garages to local residents; and
2. That the Cabinet Committee recommends to the Leader of the Council that the Terms of Reference for the Council Housebuilding Cabinet Committee be varied to empower the Cabinet Committee to determine the future use of garages sites and other Council owned land previously identified and approved by the Cabinet for possible Council housebuilding.

Executive Summary:

The Council's Development Agent is required to undertake a feasibility study for each of the 65 garage and other surplus sites included on a list of potential development garage sites approved by the Cabinet. The future use of any site considered either unsuitable, financially unviable or not receiving planning permission must to be considered and a Policy agreed. Following consultation with the Cabinet Committee, this report sets out the approach the Council will take where sites are found to be unsuitable for Council Housebuilding.

Reasons for Proposed Decision:

Since the Cabinet has agreed to consider the development potential of 65 garage sites, and development is always subject to feasibility, financial viability and planning approval. Where sites are not developable, then their future use must be considered to maximise the Council's benefit of the Asset.

Other Options for Action:

1. To agree any other option for the future use of the sites as the Cabinet Committee deems suitable.

Background

1. The Council Housebuilding Cabinet Committee was consulted, at its meeting in February 2014, on the options that should be considered for any of the 65 under-used garage sites and other Council owned sites previously identified for potential re-development, that either might not achieve planning consent, not be financial viable for the Council to redevelop or where the Cabinet Committee considers it does not want to develop for whatever reason.
2. Having been assessed by East Thames, who is the Council's Development Agent, each site will be considered for its development potential, which includes a detailed feasibility study and financial viability assessment. Each site is then presented to the Cabinet Committee for consideration in consultation with the relevant Ward Councillors.
3. Whilst all sites presented to the Council Housebuilding Cabinet Committee have so far been approved to go forward for planning approval and subsequent development, it is very likely that some sites will either not gain planning consent, or not be put forward by the Cabinet Committee, or there may be unforeseen circumstances that prevents development (i.e. there may be underground services, there are legal issues or for any other reason that may come to light).
4. Each site has its own unique circumstances. Therefore, it is not possible to have a policy that prescribes a future use where Council housebuilding is not possible. For any site that either does not gain planning consent, is not put forward for development by the Cabinet Committee or the development appraisal identifies it is not developable, it is recommended that a further report be brought back to the Cabinet Committee recommending its disposal or other use, based on the range of options as follows:
 - a. To sell the site to one of the Council's Preferred Housing Association Partners for affordable housing in return for a capital receipt to fund future Council housebuilding, and the Council gaining nomination rights in line with the terms of the Partnership. This option will provide a capital receipt for the site and would still provide much needed social housing in the district. This option is more likely to be

selected where planning permission is not granted for a development put forward by the Council;

- b. To sell the site to a private developer for either private residential or commercial use in return for a capital receipt to fund future Council housebuilding. This option will most likely provide the highest capital receipt for the site. However, it is unlikely to provide affordable housing;
 - c. To divide up the site and sell the land to neighbouring properties for garden use for a capital receipt to fund future Council housebuilding. This will provide a community benefit to residents, reduce the Council's future maintenance liabilities and the Council would benefit from a small capital receipt;
 - d. To demolish the garages, resurface the land and mark it out for unallocated off-street parking; This would only be proposed in areas experiencing parking problems. It will reduce the Council's future maintenance liabilities for the garages but increase it for parking surfaces. There would also be a capital cost;
 - e. To sell the land to a Town or Parish Council for other community relates uses including grassed or landscaped amenity space, for a capital receipt to fund future Council housebuilding. This will reduce the Council's future maintenance liabilities and benefit from a small capital receipt; or
 - f. Retention of the garages and to continue to rent them where possible.
5. Since the decision on how to dispose of sites unsuitable for Council housebuilding is not set out within the Terms of Reference for the Cabinet Committee, it is recommended that the Cabinet Committee recommends to the Leader of the Council that the Terms of Reference be amended to include the following wording:

"To consider and approve the future use of any potential development site previously identified by either the Cabinet or Cabinet Committee as having possible development potential for Council housebuilding where it either does not gain planning consent, is deemed inappropriate to develop undevelopable by the Cabinet Committee for whatever other reason or where the development appraisal identifies that the site is economically undevelopable."

Resource Implications:

None at this stage

Legal and Governance Implications:

Within its Terms of Reference, the Housebuilding Cabinet Committee is expected to consider the future use of each garage site for the purpose of Council Housebuilding. However, the Terms of Reference does not extend to or any other alternative use.

Safer, Cleaner and Greener Implications:

The future use of under-utilised garage sites that do not have redevelopment potential, need to be considered so as to make the best possible use of the site and enhance the environment.

Consultation Undertaken:

The Cabinet Committee were consulted on the options to be included in this report at a previous meeting in February 2014.

Background Papers:

Terms of Reference for the Cabinet Committee

Impact Assessments:

Risk Management

Each site will need to have a risk assessment carried out to ensure the future use is both safe and suitable in the short, medium and long-term. Site specific Risk Assessments have yet to be compiled.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?

It should be noted that an Equality Impact Assessment has already been formulated for Housing Strategy and Development.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?

N/A