

## Development Sub Committee – 20 May 2024



<b>Title</b>	<i>Neighbour Consultations – Benwell House Phase 2 (BHP2) &amp; White House Phase 2 (WHP2) Residential Sites</i>
<b>Purpose of the report</b>	To report feedback and agree next steps.
<b>Report Author</b>	<i>Richard Mortimer – Development Advisor</i>
<b>Ward(s) Affected</b>	Ashford & Sunbury Wards
<b>Exempt</b>	No
<b>Exemption Reason</b>	<i>Not applicable</i>
<b>Corporate Priority</b>	Addressing Housing Need
<b>Recommendations</b>	<p><b>Committee is asked to:</b></p> <ol style="list-style-type: none"> <li>1. Note the feedback from residents.</li> <li>2. Approve the engagement of an architect to undertake feasibility drawings that articulate forms of viable development that align as closely as possible with residents' feedback.</li> <li>3. Approve a budget for the architect of £1,000 for each project.</li> </ol>
<b>Reason for Recommendation</b>	<b>To enable the Council to consider appropriate future development on the sites, ensuring the designs have considered the concerns of the surrounding communities.</b>

### 1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> <li>• Both sites have a history of planning refusals, however, there remains a need to find a design density that is considered acceptable and facilitates future development.</li> </ul>	<p>The Council needs to consider appropriate future development on the sites by its delivery partners, ensuring the designs have considered the concerns of the surrounding communities and can contribute to the delivery of</p>

	much needed affordable homes in the Borough, which forms a key objective of the Council's corporate plan.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> <li>• Following initial neighbour consultations there is an opportunity to use their feedback to inform revised scheme proposals for further feedback and buy-in.</li> <li>• If broad consensus on key issues can be agreed with neighbours, then wider consultation can be undertaken as part of any future planning application process.</li> </ul>	<ul style="list-style-type: none"> <li>• Appoint an architect to prepare revised schemes based on March 2024 feedback received.</li> <li>• Once the amended designs are available undertake further consultation and viability work to inform options for consideration by this committee.</li> </ul>

1.1 This report sets out the current status of both sites as well as the options and rationale for progressing the approach set out above.

## 2. Key issues

### *History*

2.1 **Benwell House Phase 2 (BHP2)**– this site was acquired in 2017 for future residential development. Phase 1 was the conversion and roof extension of a former office building into 55 apartments (mixed tenures). The Phase 2 proposals were not supported by local residents due to concerns around height and mass. Planning was refused in November 2022. This committee took a decision in November 2023 not to progress the revised scheme as a result.

2.2 **White House Phase 2 (WHP2)**– this site was acquired in 2018. The first phase was developed for temporary accommodation for single person homeless, which is owned by the Council, being the White House Hostel. Planning approval was refused in August 2023 for a Phase 2 development of 17 affordable apartments.

### *Current position*

2.2 **BHP2** – prior to formal community engagement, a neighbour consultation was undertaken with local representatives in March 2024. This served the purpose of discussing the future of the site with a fresh approach and ensures neighbourhood concerns are addressed within new future scheme proposals.

2.3 Many of the issues discussed for this site related to existing Phase 1 estate management matters and these are being actively handled by our property management team.

- 2.4 There was a recognition that the Council's Administration's approach of being 'inclusive' would give residents a greater say in how the project evolved and it would be preferable for the Council to obtain planning approval on the site, rather than leave this to a third-party developer.
- 2.5 Whilst their preference was to retain the existing grouping of Tree Protection Order (TPO) trees and replace the dead ones, their main concerns in respect of new development were around loss of light and privacy. Therefore, height reduction and reducing the length of the residential block, providing greater distance between the existing residential properties in Meadows End and any new scheme was seen as a priority.
- 2.6 Feedback was a 2-storey block may be considered more acceptable to local residents with the inclusion of additional screening to provide privacy to adjacent residents.

#### **WHP2 -**

- 2.7 Prior to formal community engagement, a neighbour consultation was also held in March 2024. Both residents and Councillors attended the session and it was highlighted main concerns were around increased traffic and accidents impacting the local area and infrastructure related matters i.e. displacement of floodwater that could impact nearby housing plus safe pedestrian road crossings.
- 2.8 Residents were less supportive of any form of development on the site, than they were at the Benwell consultation. However, they were open to considering lower density development such as town houses with adequate parking provision.
- 2.9 Residents also felt it was key to ensure any new development addresses infrastructure issues such as drainage and flooding (these would need to be satisfactorily addressed through the pre-application process).

#### **Next Steps**

- 2.10 To articulate the resident feedback from both consultations, an architect will need to prepare feasibility options which can then be considered in terms of viability and will facilitate further resident discussions.
- 2.11 Following further consultation, viable options can then be brought back to this committee for further discussion and presentation of key financial information.

### **3. Options analysis and proposal**

- 3.1 **Undertake Feasibility Study and Refine Proposals with Local Residents - Recommended Option.** This option is recommended as it seeks to deal with residents' concerns at a very early stage prior to the Council incurring substantial costs in respect of preparing a planning application. It also helps in giving residents the opportunity to be involved in shaping the schemes as much as is feasibly possible. From a risk management perspective, having potential buy-in from local communities will help in creating greater certainty in getting planning consents for these sites.
- 3.2 **Do Nothing - Not recommended.** This option will only create further uncertainty and anxiety amongst local residents. Now this engagement process has started, it is logical to see it through to its conclusion.

3.3 **Market The Site For Developers To Progress A Planning Application - not recommended.** The Council has already commenced an early consultation process with neighbouring residents. The appointment of a third-party developer at this stage would be detrimental to the process that has been started.

#### 4. **Financial**

4.1 At this stage, approval for a budget of £1,000 per scheme is sought to enable feasibility work to be undertaken. Beyond this, there is no additional budget being sought. There is an existing budget for WHP2 from which this can be drawn. For BHP2, this will come from Revenue.

4.2 If neither scheme can be brought forward for any form of viable development, this Committee will need to consider making write-downs to the values of these sites or invite bids in the open market from third party developers.

#### 5. **Risk Management**

5.1 **Community Consultations** – there is always a risk that local residents will not support any form of development on one of more of these sites. Members will then need to consider the strength and validity of this feedback against the wider consideration of delivering viable schemes for much needed housing when deciding how to progress each site.

5.2 **Planning** – both sites are brownfield and capable of being brought forward for much needed housing development. BHP2 is also allocated in the SHLAA for 39 units and was recommended for approval by LPA officers – both of these would be material considerations if a third-party developer were to progress this site. WHP2 was also recommended for approval and would be material if a private developer were to buy this site. Not bringing forward available brownfield sites could lead to the council not only failing to meet Housing Delivery Targets but also accusations of land-banking – this goes against its own corporate objectives. Ultimately, this increases unwelcome pressures on greenfield land in the borough for opportunistic developers.

These early consultations with neighbours prior to preparing planning applications goes above and beyond the requirements of Local Planning Authority's own public consultation policy for planning applications.

6. **Financial** – if viable densities cannot be achieved due to community objections or lack of member approval then site values may need to be written down. This will adversely impact the Council's finances.

#### 7. **Procurement comments**

7.1 The procurement of an architect at the values set out in this report sits below the thresholds set out under the Public Contracts Regulations 2015 and the Council's Contract Standing Orders. Any appointment will follow the procedure set out in the Council's Contract Standing Orders for contracts below the value of £5000.

#### 8. **Legal comments**

8.1 There are no risk considerations arising from this report as it solely concerns noting the feedback from residents and the budget approval for an architect to undertake feasibility drawings.

- 8.2 If site disposals were to be made, the Council would need to satisfy the requirements of sections 120-123 of the Local Government Act 1972 in terms of achieving best value.
- 8.3 Legal Services would need to be consulted in the event feasible schemes are brought forward through the planning process.

**8. Other considerations**

None at this stage.

**9. Equality and Diversity**

- 9.1 Any scheme brought forward will be required to be fully compliant with all planning requirements to ensure the needs of a wide range of occupiers are met. Equality and diversity requirements will also form part of a longer-term management strategy where the completed schemes are retained.

**Sustainability/Climate Change Implications**

- 9.2 Both schemes if progressed, will need to comply with both local and national planning policy requirements and Building Regulations compliance. Each site offers good opportunities to achieve the 10% Biodiversity Net Gain on site.

**10. Timetable for Implementation**

- 10.1 Once all the Council's internal approvals are in place, an architect can be appointed with immediate effect. Feasibility studies would be expected to take approximately one month. Presentations and further workshops can then be agreed with the respective local neighbours/community.

**11. Contact**

- 11.1 Richard Mortimer (Assets Team)  
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**Background papers: None**