



Please reply to:

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Date: 10 May 2024

Notice of meeting

Development Sub-Committee

Date: Monday, 20 May 2024

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Development Sub-Committee

Councillors:

H.R.D. Williams (Chair)
S.N. Beatty (Vice-Chair)
M. Beecher
M. Bing Dong

T. Burrell
R. Chandler
D.C. Clarke
M. Gibson

K. Howkins
L. E. Nichols
J.R. Sexton
P.N. Woodward

Substitute Members: Councillors C. Bateson, J.T.F. Doran, S.M. Doran, S.A. Dunn, A. Gale, M. Arnold, K.E. Rutherford, J.R. Boughtflower and S. Bhadye

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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Agenda

Page nos.

1. Apologies for absence & Substitutions

To receive any apologies for non-attendance and details of Member substitutions.

2. Minutes

5 - 14

To confirm as a correct record the minutes of the meeting held on 22 April 2024.

3. Disclosures of Interest

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

4. Questions from members of the Public

The Chair, or his nominee, to answer any questions raised by members of the public in accordance with Standing Order 40.

At the time of publication of this agenda no questions were received.

5. Urgent Actions

To consider any urgent action that have arisen since last meeting.

6. Forward Plan

15 - 18

To note the Forward Plan for future Development Sub-Committee business.

7. Update Report - Development Delivery Strategy

19 - 32

To consider recommending to Corporate Policy and Resources Committee to:

1. Approve the introduction of a Development Delivery Strategy.
2. Approve the form and content of the draft Development Delivery Strategy attached to this report.
3. Approve a Councillor led working party to produce a development site prioritisation list to be considered at the September Business, Infrastructure and Growth Committee Meeting for approval, and
4. Refer the Development Delivery Strategy to Full Council for adoption.

- | | | |
|------------|--|------------------|
| 8. | Neighbour Consultations - Benwell House Phase 2 (BHP2) & White House Phase 2 (WHP2) Residential Sites | 33 - 38 |
| | To consider a report on Neighbour Consultations and to: | |
| | <ol style="list-style-type: none"> 1. Note the feedback from residents 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 3. Approve a budget for the architect of £1,000 for each project. | |
| 9. | Presentation on the Waterfront Scheme | To Follow |
| | To receive a presentation on the proposed Waterfront Scheme. | |
| 10. | Ashford Victory Place – extinguishment of Spelthorne Borough Council and Knowle Green Estates contractual obligations | To Follow |
| | To consider a report on the termination of the conditional contract to transfer Ashford Victory Place to Knowle Green Estates Limited. | |
| 11. | Exclusion of Public and Press (Exempt Business) | |
| | To move the exclusion of the Press/Public for the following items, in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006. | |
| 12. | Local Authority Housing Fund Acquisitions | To Follow |
| | To consider a report on Local Authority Housing Fund Property Acquisitions. | |
| 13. | Year End Valuations 31/3/2024 | 39 - 50 |
| | To receive a presentation on the independent valuations of the Investment & Regeneration portfolios. | |

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**Minutes of the Development Sub-Committee
22 April 2024**

Present:

Councillor H.R.D. Williams (Chair)
Councillor S.N. Beatty (Vice-Chair)

Councillors:

M. Beecher	D.C. Clarke	J.R. Sexton
M. Bing Dong	M. Gibson	P.N. Woodward
T. Burrell	K. Howkins	
R. Chandler	L. E. Nichols	

In Attendance: Councillor C. Bateson

35/24 Apologies for absence & Substitutions

There were none.

36/24 Minutes

Councillor Williams proposed a change to the minutes to include 'The Sub-Committee delegated authority to make that recommendation to CPRC and Council to the Chair and Vice-Chair', this was agreed by the Sub-Committee.

The minutes of the meeting held on 25 March 2024 were agreed as a correct record subject to the above change being made.

37/24 Disclosures of Interest

Councillors Beatty, Beecher, Burrell, Chandler, Gibson, Howkins, Nichols and Williams advised the Committee that they were members of the Planning Committee and therefore would not be making comment on any applications due to come before the Planning Committee.

Councillors Sexton advised that she was a Surrey County Councillor.

Councillor Nichols advised that he was a member of Knowle Green Estates Board.

38/24 Questions from members of the Public

There were none.

39/24 Urgent Actions

There were none.

40/24 Forward Plan

The Sub-Committee **resolved** to note the Forward Plan.

41/24 Development Delivery Strategy

The Sub-Committee received a report on the draft Development Delivery Strategy. The Group Head Assets advised that delivery options would be considered on a site-by-site basis and that the strategy would set out the criteria for deciding the relevant options for each site.

The Sub-Committee asked for clarification over what would be prioritised; achieving the objectives of the Corporate Plan or the need to achieve financial returns on the sites. The Group Head Assets advised that while the Council has a statutory obligation to achieve best value in terms of financial returns, it is the Councillors who would make the decision as to how the sites are progressed and could decide that best value meant something beyond the financial implications.

The Sub-Committee queried how residents should interpret Appendix 2 and were advised that it showed anticipated delivery mechanisms that would be acceptable to the market, but that no decision would be made until a report was brought to the relevant committee. The Sub-Committee expressed reservation about Appendix 2 being in the public domain and it was **resolved** that it would not be published with the rest of the Development Delivery Strategy.

The Sub-Committee queried whether it would be possible to do nothing and wait for interest rates and construction cost to reduce. The Chief Accountant advised that doing nothing was not an option and that progress needed to be made on the sites to avoid £15m being transferred to the revenue budget.

The Chair suggested that further work on the strategy was needed to identify which sites should be prioritised. The Group Head Assets suggested the report be withdrawn and that a workshop with selected Councillors held to identify priority sites. The report could then return to Development Sub-Committee in May 2024.

The Sub-Committee **resolved** to withdraw the report and reconsider it at the next meeting.

42/24 Asset Management Plan Review - KPIs and Risk Register

The Sub-Committee received a report on the update Key Performance Indicators and Risk Register for the Asset Management Plan 2024-2028.

The Sub-Committee queried the frequency by which these documents would be reviewed and were advised that it was planned as a yearly review. The Sub-Committee advised that the Risk Register should be reviewed more regularly and requested quarterly reviews. The Group Head Assets stated that it could be done on a 6-monthly basis as part of the portfolio review. The Sub-Committee suggested that it did not need to be a full report and advised that it could be a standing item on the agenda as a verbal update. The Group Head Assets agreed to consider the options.

The Sub-Committee **resolved** to:

1. Approve the updated Key Performance Indicators and Risk Register which will form part of the final version of the Asset Management Plan (AMP) 2024-2028.
2. Agree subject to a final review of the Asset Management Plan being undertaken to ensure it reflects any other Council policy changes since December 2023, that the AMP can be published on the Council's website.

43/24 Exclusion of Public and Press (Exempt Business)

It was proposed by Councillor Clarke, seconded by Councillor Woodward and **resolved** to exclude the public and press be excluded for the following agenda items, in accordance with paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972 (as amended) because it was likely to disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in being able to undertake even-handed negotiations and finalizing acceptable contract terms.

44/24 Annual Investment Strategy for 2024/25

The Sub-Committee received a report on the Asset Investment Strategy for 2024/2025. The Asset Management Consultant identified that this document formed part of the wider Asset Management Plan suite of documents and highlighted that the report set out key lease events, expenditure and risks for the next 12 months. The Sub-Committee expressed their thanks to the Assets Team and praised the quality of the report.

The Sub-Committee **resolved** to note the Asset content of the Asset Investment strategy which sets out the priorities and key focuses for proactive

management of the Council's Investment and Regeneration Portfolio during 2024/25.

45/24 Urgent Item - Ashford Victory Place

The Sub-Committee received a verbal update on Ashford Victory Place.

The Sub-Committee **resolved** to agree to the recommendation given in the verbal update.

Meeting ended at 21:31



Spelthorne Borough Council Services Committees Forward Plan and Key Decisions

This Forward Plan sets out the decisions which the Service Committees expect to take over the forthcoming months, and identifies those which are **Key Decisions**.

A **Key Decision** is a decision to be taken by the Service Committee, which is either likely to result in significant expenditure or savings or to have significant effects on those living or working in an area comprising two or more wards in the Borough.

Please direct any enquiries about this Plan to CommitteeServices@spelthorne.gov.uk

Spelthorne Borough Council

Strategic Committees Forward Plan and Key Decisions for 10 May 2024 to 20 May 2024

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Development Sub-Committee 20 05 2024	Ashford Victory Place – extinguishment of Spelthorne Borough Council and Knowle Green Estates contractual obligations	Non-Key Decision	Confidential	Richard Mortimer, Development Management Consultant
Development Sub-Committee 20 05 2024	Local Authority Housing Fund Acquisitions	Non-Key Decision	Private	Vicki Ellis, Residential Property Manager, Marta Imig, Housing Strategy and Policy Manager
Development Sub-Committee 20 05 2024	Presentation on the Waterfront Scheme	Non-Key Decision	Public	Richard Mortimer, Development Management Consultant
Development Sub-Committee 20 05 2024	Update on Resident Consultations - Benwell 2 & White House sites	Non-Key Decision	Public	Richard Mortimer, Development Management Consultant
Development Sub-Committee 20 05 2024	Update Report - Development Delivery Strategy	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Development Sub-Committee 20 05 2024	Year End Valuations 31/3/2024	Non-Key Decision	Public	Sian Bowen, Principal Asset Manager

Spelthorne Borough Council

Strategic Committees Draft Forward Plan and Key Decisions for 10 May 2024 to 31 December 2024

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Business, Infrastructure & Growth 06 06 2024	Thameside House Update	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Business, Infrastructure & Growth 12 09 2024	Oast House Listed Building Options Update	Non-Key Decision	Public	Kamal Mehmood, Strategic Lead for Leisure and Community Development
Business, Infrastructure & Growth 12 09 2024	Ashford Victory Place – Housing Delivery	Non-Key Decision	Public	Coralie Holman, Group Head Assets
Commercial Assets Sub-Committee June 2024	Summit Centre	Non-Key Decision	Private	Jeremy Gidman, Asset Management Consultant
Commercial Assets Sub-Committee June 2024	Investment Portfolio Review 2023/24	Non-Key Decision	Private	Coralie Holman, Group Head Assets
Commercial Assets Sub-Committee October 2024	Half Year Portfolio Review	Non-Key Decision	Public	Coralie Holman, Group Head Assets

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Development Sub Committee



Title	<i>Development Delivery Strategy</i>
Purpose of the report	To seek approval for the introduction of a Development Delivery Strategy to support decision making in relation to partnership working and disposal opportunities for the Development Portfolio sites.
Report Author	<i>Coralie Holman – Group Head Assets</i>
Ward(s) Affected	All
Exempt	No
Exemption Reason	<i>Not Applicable</i>
Corporate Priority	All Corporate Plan themes
Recommendations	<p>Committee is asked to:</p> <ol style="list-style-type: none"> 1) Recommend to Corporate Policy and Resources Committee to: <ol style="list-style-type: none"> 1.1 Approve the introduction of a Development Delivery Strategy. 1.2 Approve the form and content of the draft Development Delivery Strategy attached to this report; 1.3 Approve a Councillor led working party to produce a development site prioritisation list to be considered at the September Business and Infrastructure and Growth Committee Meeting for approval and 1.4 Refer the Development Delivery Strategy to Full Council for adoption.
Reason for Recommendation	The Council owns a number of sites that have been identified for development purposes to assist with achieving objectives of the Corporate Plan. Having an agreed strategy will support decision making for these sites and assist the decision-making Committees, to benchmark future options for each site.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> Whilst the Council will no longer be directly developing any of its sites, there is a desire to progress development on these sites via partnership arrangements or unconditional disposals. 	<ul style="list-style-type: none"> The adoption of a Development Delivery Strategy will provide the decision-making Committee(s) with agreed criteria against which to appraise offers for future development on Council owned sites within the Development and Regeneration Portfolio. Without agreed criteria against which offers for future development on Council owned sites can be appraised it is likely there will not be any consistent decision making resulting in further delays to the progression of sites and continued financial pressure from the holding costs the Council incurs whilst the sites remain in their current configuration.
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> Implement a strategy to set key principles but allow sufficient flexibility in order that the Council can take bespoke decisions in relation to each site. A strategy will retain the ability to input into and direct schemes developed on Council owned sites whilst not retaining the construction cost and risk associated with direct development. 	<ul style="list-style-type: none"> Agree the proposal to implement the draft Development Delivery Strategy attached to this report Make a recommendation to Corporate Policy & Resources Committee and Full Council to approve and adopt the Strategy Officers as part of Councillor led working group to prepare relevant information to facilitate a development site prioritisation list being produced

2. Key issues

- 2.1 The Council owns several pieces of land and property that sit within the Development & Regeneration Portfolio, being one of 3 strategic Asset

Portfolios as set out in the Council's new approved Asset Management Plan. The strategic purpose of the Development & Regeneration Portfolio is to *'ensure the Borough remains an attractive place to live, work and undertake leisure activities through the delivery of high-quality affordable housing, social infrastructure and commercial property that meets the needs and requirements of residents and local businesses'*.

- 2.2 The sites within this portfolio focus on achieving the objectives of the Council's Corporate Plan. Many of the sites are proposed for residential development schemes with some ancillary uses to provide affordable housing for the residents of Spelthorne, whereas others are being progressed as part of a wider regeneration of Staines-upon-Thames Town Centre, to build on the current strength of the town as a retail and economic centre.
- 2.3 In Autumn 2023 the Council took a decision not to undertake any direct development delivery, instead progressing partnership arrangements to ensure new housing and other uses would be delivered on the sites.
- 2.4 A report on the Development Delivery Strategy was brought to this committee in April 2024, however it was agreed to defer the report to May 2024 to allow removal of site specific information (original Appendix 2) from the strategy and for a further Councillor led working group discussion to take place in respect of development site prioritisation.

3. Current position

- 3.1 Member working group sessions were held in March and April 2024 consisting of Members of the Council's Development Sub Committee, (who are also Ward Councillor representatives from the locations of the development sites), to consider a) the need and scope of a Development Delivery Strategy that will support decision making for these sites and assist the decision-making Committees to benchmark future options for each site and b) the benefits of and criteria for a development site prioritisation list.
- 3.2 The draft Strategy is set out in Appendix 1 attached to this report. The Strategy in summary sets the following principles and objectives:
 - Spelthorne Borough Council (SBC) will not undertake any direct development but will deliver its objectives for each site via partnerships with external organisations and partners.
 - Each project will have its own project plan and objectives, which will be determined on the specifics of the site i.e. size, location, surrounding buildings, demographics.
 - All development proposals will be 'joined up' with the Local Plan objectives, policies, and delivered in accordance with design codes.
 - Consultation will be undertaken with local Councillors, and other key stakeholders where new development proposals are being progressed.
 - All decisions will be taken by Councillors, who will be involved at key stages of the project, which will be set out as milestones in the project plans.
 - Officers will prepare information on all feasible options to include financial analysis of each option against budget and recorded site values and all other key information to assist Member decision making.

- All sites will be openly marketed and/or partners procured to ensure full transparency within decision making around delivery options and to see to obtain best value for money for the Council.
 - The Council has a statutory obligation to achieve 'best value' from its sites, which will be considered in terms of financial returns as this in turn relates to the financial resilience of the Council.
 - When considering the options for each site, consideration will also be given to on-going holding costs of not proactively progressing delivery options.
- 3.3 The Strategy has intentionally been drafted as a guide to set key principles but allow sufficient flexibility in order that the Council can take bespoke decisions in relation to each site when deciding whether it wishes to partner with external organisations. This flexibility will retain the ability to input into and direct schemes developed on Council owned sites whilst not retaining the construction cost and risk associated with direct development.
- 3.4 It was agreed at the April working group that it would be beneficial for a site prioritisation list to be produced that would be based on criteria around a) the ability of the site to meet the Corporate Plan 2024-2028 priority of addressing housing need; b) wider economic benefits i.e. job creation and increased 'spend' within the Borough; c) financial viability and impact on the Council's Medium Term Financial Plan and d) ease of progressing schemes in relation to planning policies and market conditions.
- 3.5 The working group also agreed to recommend to the Development Sub Committee that approval of the Development Delivery Strategy did not need to be delayed until the site prioritisation list had been approved, subject to timescales being outlined for completion of this piece of work.

4. Next Steps

- 4.1 If this committee agree to the form and content of the draft Strategy in Appendix 1, this will be referred to the Corporate Policy and Resources Committee for approval and to Full Council for adoption prior to being used as the basis for benchmarking and appraising future opportunities to see sites developed whether this is via partnership working or unconditional disposal.
- 4.2 Further Council led working group sessions will be held to agree a prioritisation list for consideration at the September meeting of the new Business, Infrastructure and Growth Committee.

5. Options

- 5.1 Approval of a Development Delivery Strategy in the form attached to this report and agreement for a Councillor led working party to consider site prioritisation. **This is the recommended option.** The adoption of this draft Development Delivery Strategy is approved to provide the decision-making committee(s) with agreed criteria against which to appraise offers for future development on Council owned sites within the Development and Regeneration Portfolio.
- 5.2 Approval of a Development Delivery Strategy in principle, but in a different form to the draft attached to this report. **This is not the recommended**

option as this draft Development Delivery Strategy has been produced in line with the discussions at the Councillor working group referred to in section 3.1 of this report, which included Members of this Committee and relevant Ward Member representation.

- 5.3 Do not approve the implementation of a Development Delivery Strategy in any form. **This is not the recommended option.** Without agreed criteria against which offers for future development on Council owned sites can be appraised it is likely there will not be any consistent decision making resulting in further delays to the progression of sites and continued financial pressure from the holding costs the Council incurs whilst the sites remain in their current configuration.

6. Financial Implications

- 6.1 Whilst the introduction of this Strategy has no direct financial implications in isolation, the implementation of this Strategy sets out the Council's statutory obligations to achieve best value in terms of financial returns which in turn relates to the financial resilience of the Council.

7. Risk Management

- 7.1 Without the Council having an agreed Development Delivery Strategy there would be no agreed mechanism to support decision making and benchmarking future options for each site.
- 7.2 The Development Delivery Strategy sets out how the Council will approach decision making in relation to all its Development and Regeneration portfolio. This will ensure there are an agreed set of parameters within which the Council can be assured the portfolio will deliver best value, deliver Corporate Plan priorities and be aligned with its Medium-Term Financial strategy hence supporting the future financial resilience of the Council.

8. Procurement comments

- 8.1 None

9. Legal comments

- 9.1 The Council has the power to acquire and dispose of land for the purpose of any of its functions (sections 120 to 123 of the Local Government Act 1972).
- 9.2 Any disposal will need to satisfy the valuation requirements of section 123 of the Local Government Act 1972.
- 9.3 Any agreements required in connection with the development on Council owned sites within the Development and Regeneration Portfolio shall have to comply with the Contract Standing Orders and the Council's duty to deliver best value under the Local Government Act 1999.
- 9.4 Legal Services (g.legal@spelthorne.gov.uk) will provide advice and assistance with any associated agreements and documentation.

10. Other considerations

- 10.1 None

11 Equality and Diversity

- 11.1 None

12 Sustainability/Climate Change Implications

- 12.1 All development on Council owned sites will need to meet sustainability criteria as set out in the draft strategy document

13 Timetable for implementation

- 13.1 Immediately if approved.

14 Contact

- 14.1 Coralie Holman Group Head Assets c.holman@spelthorne.gov.uk

Background papers: Appendix 1 Draft Development Delivery Strategy

Development Delivery Strategy

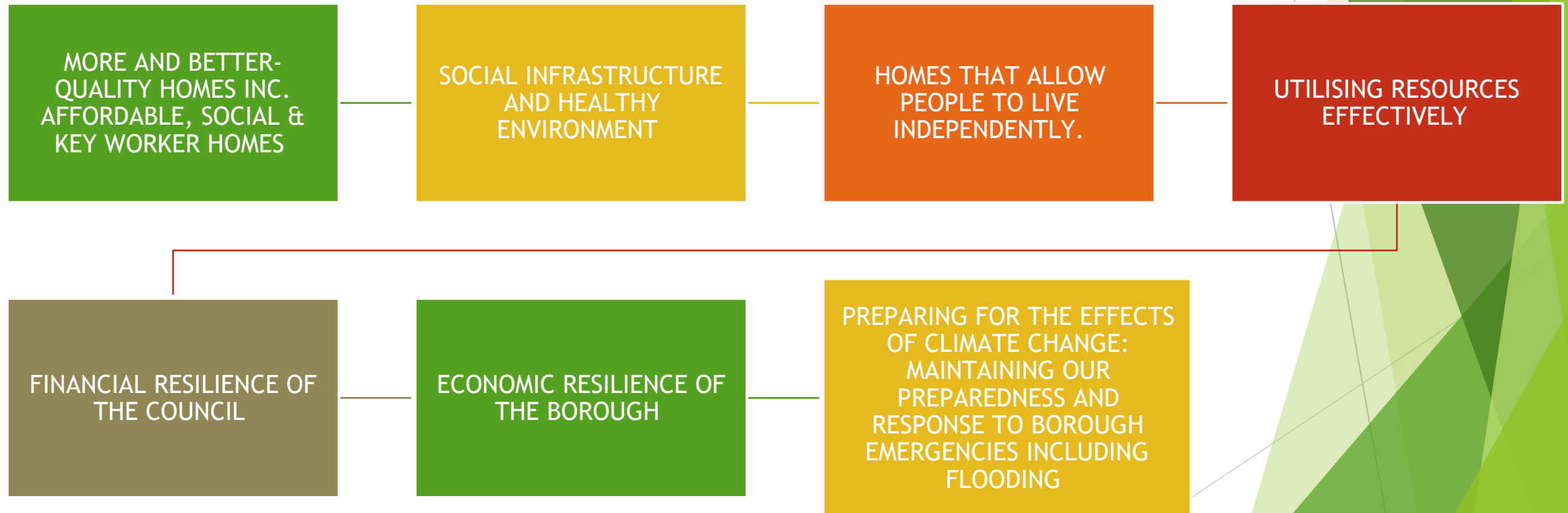


The Council's Development and Regeneration Portfolio is one of three portfolios of Land & Property the Council owns. In December 2023 at the Full Council meeting, the strategic purpose of this portfolio was agreed. The strategic priorities of the portfolio are set out in Appendix 1.

The Council owns several pieces of land and property that sit within this portfolio. The development sites are located across the Borough and are proposed mainly for residential development with ancillary uses to provide affordable, social and key worker homes, being Corporate Priorities.

The Regeneration sites are located within Staines upon Thames town centre and will be progressed as part of a wider regeneration plans to build on the current strength of the town as a retail and economic centre and to improve connectivity between the River front and Town Centre.

Directly Linked Corporate Plan Themes



Site Delivery Strategy

Spelthorne Borough Council (SBC) will not undertake any direct development but will deliver its objectives for each site via partnerships with external organisations and partners.

Each project will have its own project plan and objectives, which will be determined on the specifics of the site i.e. size, location, surrounding buildings, demographics.

All development proposals will be 'joined up' with the Local plan objectives, policies, and delivered in accordance with design codes.

Consultation will be undertaken with local Councillors, and other key stakeholders where new development proposals are being progressed.

All decisions will be taken by Councillors, who will be involved at key stages of the project, set out as milestones in project plans.

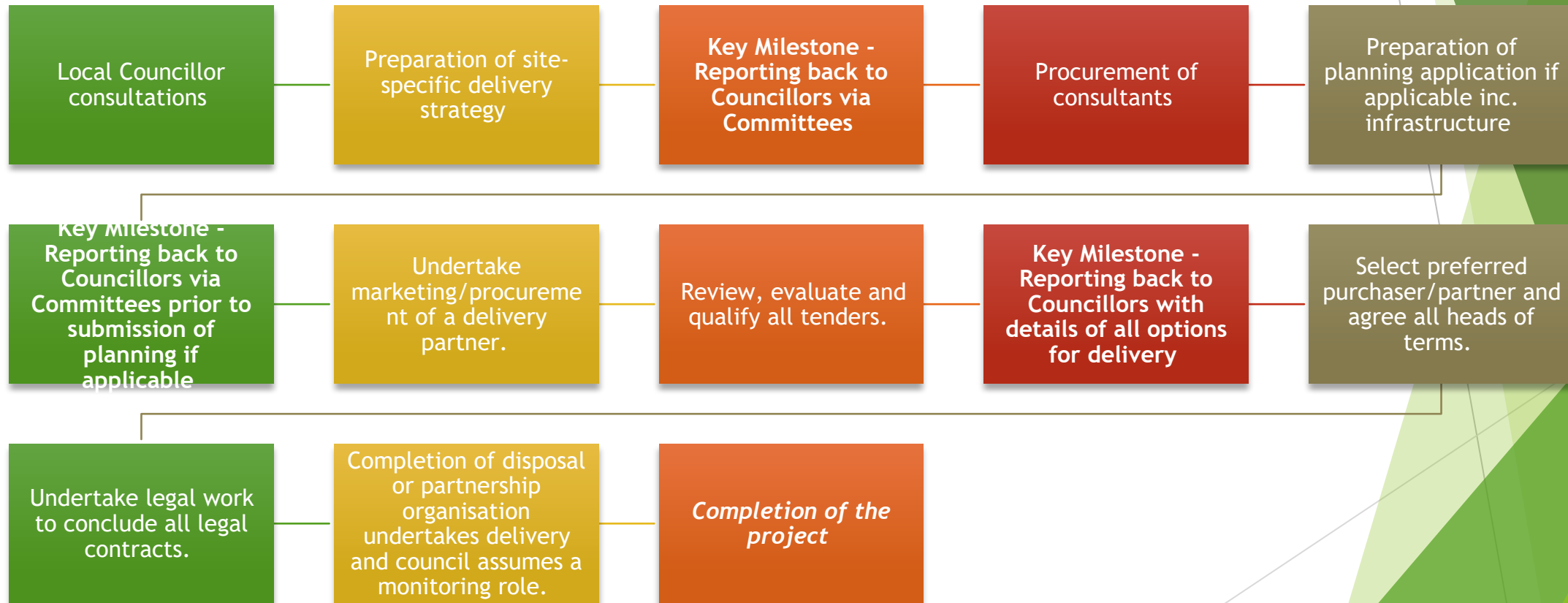
Officers will prepare information on all feasible options to include financial analysis of each option against budget and recorded site values and all other key information to assist Member decision making.

All sites will be openly marketed and/or partners procured to ensure full transparency within decision making around delivery options and to see to obtain best value for money for the Council.

The Council has a statutory obligation to achieve 'best value' from its sites, which will be considered in terms of financial returns as this in turn relates to the financial resilience of the Council.

It is essential to be mindful that circumstances change, so this strategy must retain flexibility to allow all options in respect of any site to be considered even if this departs from the original direction of travel.

Indicative Project Methodology



Timescales

Each site will have its own project timetable and these will be updated as each project progresses and reported to Members at each key milestone. The initial delivery timetable commences in January 2024 and runs to March 2026. In March 2026, some project timetables will need to be extended. Further Council led working group sessions will be held to agree a prioritisation list for consideration at the September 2024 meeting of the new Business, Infrastructure and Growth Committee.

Conclusions

Whilst the Council is no longer progressing the direct development of its sites, there remains a good opportunity to partner with external organisations to achieve Corporate Plan objectives and allow for the Council to input and direct the schemes developed on each site, whilst not retaining the construction cost and risk associated with direct development.

Appendix 1

- ▶ Ensure all development meet the Council's corporate objectives ("CARES")
- ▶ Aim to deliver high quality housing and other economic and community places in a timely and financially efficient manner.
- ▶ Prioritise delivery of Affordable, Social and Key Worker housing and mixed-use projects to meet the needs of Spelthorne residents.
- ▶ All significant proposed developments will be subject to meaningful public consultation.
- ▶ All proposed developments will be subject to ensuring there is no negative impact on biodiversity via the purchase of biodiversity credits on other Council owned sites
- ▶ All developments will need to consider the impact of all ground water flooding sources i.e. not just the River Thames
- ▶ Delivery mechanisms and longer-term buy/hold/sell decisions will be decided by Councillors on a basis that meets the needs of our residents, businesses, and wider communities.
- ▶ All developments will contribute to the Council's commitment to reach Net Zero by 2030.

Delivery Timescales



Each site will have its own project timetable



These will be updated as each project progresses and reported to Members at each key milestone.



The initial delivery timetable commenced in January 2024 and runs to April 2026.



In April 2026, some project timetables will need to be extended, where further decisions are needed.

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Development Sub Committee – 20 May 2024



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

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • 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. 	<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"> • Following initial neighbour consultations there is an opportunity to use their feedback to inform revised scheme proposals for further feedback and buy-in. • 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. 	<ul style="list-style-type: none"> • Appoint an architect to prepare revised schemes based on March 2024 feedback received. • Once the amended designs are available undertake further consultation and viability work to inform options for consideration by this committee.

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

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