

# Development Sub Committee



6 November 2023

<b>Title</b>	<i>Thameside House, Oast House, Benwell House Phase 2 and Ashford Multi-Storey Car Park current planning submissions</i>
<b>Purpose of the report</b>	To make Key Decisions
<b>Report Author</b>	<i>Coralie Holman – Group Head Assets</i>
<b>Ward(s) Affected</b>	Ashford, Staines & Sunbury Wards
<b>Exempt</b>	No
<b>Corporate Priority</b>	Community Affordable housing Environment Service delivery
<b>Recommendations</b>	<b>This Committee is asked to consider approve:</b>  <ol style="list-style-type: none"><li>1. Withdrawal of the current <b>Thameside House</b> planning submission</li><li>2. Withdrawal of the current <b>Oast House</b> planning submission</li><li>3. Withdrawal of the current <b>Benwell Phase 2</b> planning submission</li><li>4. Progression of the current <b>Ashford Multi Storey Car Park</b> planning submission for determination.</li></ol>
<b>Reason for Recommendation</b>	<p><i>There is currently 4 planning applications on Council owned sites which were submitted for planning approval prior to October 2023, but are yet to be considered by the Council's Planning Committee as they have been put on 'hold' pending the outcomes of broader Council decisions around direct development delivery of residential schemes.</i></p> <p><i>On 16<sup>th</sup> October 2023 the Corporate Policy and Resources Committee agreed to i) support the suspending of direct delivery of residential development on Council owned sites and ii) explore new ways of delivering the Council's affordable housing priorities.</i></p> <p><i>On 19<sup>th</sup> October 2023 Full Council agreed to suspend direct delivery of development.</i></p> <p><i>Following these decisions, this committee is asked to decide whether the 4 planning applications should be withdrawn or progress to planning determination to enable 'scheme' designs to be re-considered or concluded.</i></p>

## 1. Summary of the report

- 1.1 Following the decision by Full Council on 19<sup>th</sup> October 2023 to suspend the Council's development programme, new ways of delivering the Council's affordable housing priorities are being explored. This provides the Council with the opportunity to consider a new vision and agree collaborative outcomes for mixed use development in Staines-upon-Thames, utilising a masterplan approach where the Council has comprehensive land holdings. Revisiting development on sites, not included within the 'masterplan' both in Staines and the wider Borough also provides the opportunity for the Council to input in scheme designs, consult with residents and communities to deliver new housing and continue to deliver on affordable housing priorities
- 1.2 The sites outlined below currently have planning applications in existence that have yet to be determined and this committee is asked to consider whether it wishes to progress these current schemes through to planning committee.

## 2. Key issues

- 2.1 Full Council approved, at its meeting on 19<sup>th</sup> October, the reduction in future additional borrowing and suspension of the direct delivery of residential development by the Council. This decision was supported by the Council's Corporate Policy and Resources Committee (CPRC), who on 16<sup>th</sup> October agreed Members of the Development Sub Committee, working with Officers, should explore alternative ways of delivering the Council's affordable housing priorities.
- 2.2 Four sites owned by the Council currently have planning applications that have been submitted but are yet to be determined by the Council's planning committee. This committee is asked to consider and agree how these applications should be dealt with from an applicant perspective following the recent change of development approach outlined above.
- 2.3 The proposed scheme at **Thameside House** in Staines consists of an 11-storey design comprising 105 apartments and offices. Recent feedback from Councillors is this scheme is not supported by the majority of Councillors due to the height and mass. The proposed site design is shown at **Appendix 1**.
- 2.4 The proposed scheme at **Oast House** in Staines consists of a multi storey design ranging between 9 and 12 storeys comprising 185 apartments and 4188 sq. ft of workspace. Recent feedback from Councillors is this scheme is not supported by the majority of Councillors due to the height and mass. The proposed site design is shown at **Appendix 2**.
- 2.5 The proposed phased 2 scheme at **Benwell House** in Sunbury consists of a 35-unit design, shown in **Appendix 3**. Recent feedback from Councillors is this scheme is not supported by the majority of Councillors due to the height and mass and loss of trees with Tree Preservation Orders. Part of this application also included proposals for a new refuse system serving both the existing Phase 1 Benwell residential accommodation on the site as well as the new phase 2 development.

- 2.6 The Phase 1 development is owned by Knowle Green Estates (KGE), the Council's housing company. If the decision of this committee is to withdraw the current planning application, there may be a requirement for a stand-alone planning application to be submitted in respect of a new refuse system. This system is effectively specialist underground refuse containers known as Sulo bins. If a refuse application was progressed as a stand-alone item, it is expected there would be additional costs of £2,500 to be met by KGE.
- 2.7 The proposed scheme on the site of the current **Ashford Multi-storey Car Park**, shown in **Appendix 4** consists of 42 units over 5 storeys with 52,000 sq. feet of community/commercial space on the ground floor. Recent feedback from Councillors is this scheme is supported by the majority of Councillors. Councillors have been more involved in the scheme design and have informed and approved height, density, affordable housing, public parking, and potential ground floor community uses.
- 2.8 All 4 Planning applications have been 'suspended' within the planning approval system, whilst the decisions were taken by Full Council and CPRC as outlined above.
- 2.9 Providing planning certainty on these and other sites will assist with removing development risk and securing higher financial returns. A site that has had planning approval refused creates greater risk and uncertainty and therefore could have a negative impact on financial returns.
- 2.10 A key factor of any scheme is whether it is financially viable within the market place. This will impact the Council's ability to secure delivery partners and dispose of sites. A site without a sufficient number of units due to a reduction in height and mass may result in a scheme not being deliverable without financial subsidy from the Council.

### 3. Options

#### 3.1 Thameside House

- a. **Withdraw (recommended)** – Withdrawing the application will allow Members to consider a more comprehensive mixed-use masterplan led strategy which can be redesigned so that it aligns with the emerging local plan. This also allows members to consider the most suitable range of uses, heights and densities for the site.
- b. Ask the LPA to continue suspending determination of the application with a view to revising the current planning application – **(not recommended)** - this doesn't allow Members supported by officers to consider proposals for a masterplan approach in Staines with a new and fresh vision.
- c. Progress the current Planning Application **(not recommended)** – It is likely if this planning application is progressed to a planning committee meeting it would be refused due to the reasons outlined above.

#### 3.2 Oast House

- a. **Withdraw (recommended)** – Withdrawing the application will allow Members to consider a more comprehensive mixed-use masterplan led strategy which can be redesigned so that it aligns with the emerging local plan. This also allows members to consider the most suitable range of uses heights and densities for the site.

- b. Ask the LPA to continue suspending determination of the application with a view to revising the current planning application – **(not recommended)** - this doesn't allow Members supported by officers to consider proposals for a masterplan approach in Staines with a new and fresh vision.
- c. Progress the current Planning Application **(not recommended)** – It is likely if this planning application is progressed to a planning committee meeting it would be refused due to the reasons outlined above.

### 3.3 Benwell House Phase 2 –

- a. **Withdraw – (recommended)** – Withdrawing the application will allow Members to consider how the site can be redesigned and consulted upon so that it aligns with the emerging local plan. This also allows members to consider heights, densities, and tree preservation on the site.
- b. Ask the LPA to continue suspending determination of the application with a view to revising the current planning application – **(not recommended)** - this doesn't allow Members supported by officers to meaningfully engage with the LPA to make progress with consulting on alternative options, which will meaningfully address the height, mass, and tree protection concerns.
- c. Progress the current Planning Application **(not recommended)** – It is likely if this planning application progressed to a planning committee meeting it would be refused due to the reasons outlined above.

### 3.4 Ashford MSCP –

- a. **Withdraw (not recommended)** – from conception, the brief and design for this scheme has been informed and supported by local councillors and this Committee. Withdrawing the application is unlikely to achieve any preferable outcomes but would result in additional consultant fees to review/redesign the current scheme.
- b. Ask the LPA to continue suspending determination of the application with a view to revising the current planning application **(not recommended)** - as there is support for the current application by Members and it is understood the scheme is planning compliant, it is unlikely a review of alternative options will achieve any financial or other benefits, but instead will occur additional costs.
- c. **Progress Planning Application To Determination (recommended)** – given local Councillor and this Committee's support for the current scheme, it is recommended that this progressed to determination. Achieving planning certainty will assist Members with an earlier delivery of the development through a preferred delivery route.

## 4. Financial implications

- 4.1 There are limited implications in progressing the recommended options. Where current planning applications are withdrawn, existing surveys and design information can be reused to inform alternative designs which members feel are more appropriate. However, the longer it takes the Council to achieve an outcome on each of these sites the more holding costs will accumulate.

- 4.2 The Council may find that schemes are no longer financially viable based on the land prices paid by the Council, where the height and density of schemes are reduced. This would result in the Council agreeing financial write downs or financial subsidies to make the schemes viable for a third-party developer.

## **5. Risk considerations**

- 5.1 Risk: If planning applications are progressed to determination, it is highly likely that Thameside House and Benwell House Phase 2 would be refused. This would place constraints on how the sites could be delivered in the future and may make them less attractive to future delivery partners. This reinforces the recommendation to withdraw these applications.
- 5.2 Equally, without progressing Ashford MSCP's planning application to determination (which is supported by councillors), The Council and their chosen delivery partner would not have the certainty of being able to progress the project.
- 5.3 In reducing heights and densities, The Council may find that schemes are no longer financially viable based on the land prices paid by the Council.

## **6. Procurement considerations**

- 6.1 Any procurement required as a result of the above approvals will be carried out in accordance with the Council's Contract Standing Orders and with the Public Contracts Regulations 2015.
- 6.2 As the market had been notified of a procurement for a contractor to develop the proposed design for Thameside House, if this is not going to be progressed in the same manner, the Council will need to formally notify the market accordingly.

## **7. Legal considerations**

- 7.1 Although there are no direct legal considerations, in making a decision on these sites, the council should consider its obligations under the Housing Act 1996 to secure accommodation its area for those persons/households who are eligible for assistance or homeless.
- 7.2 The Council has a general duty to achieve best value further to the Local Government Act 1999. This requires the Council to "make arrangements to secure continuous improvement in the way in which functions are exercised having regard to a combination of economy, efficiency and effectiveness." Deciding on how to progress the development of these site will ensure compliance with the Council's best value duty.

## **8. Other considerations**

The recommendations in this report seek to provide a way for the Council to review aspirations for these sites in light of the new approach to partnership working and seeking collaborative outcomes which will facilitate identifying suitable partnership arrangements to bring forward the delivery of these sites.

**9. Equality and Diversity**

Delivery of housing whether directly or indirectly impacts most greatly on the most vulnerable in our community. Therefore, it is important that The Council takes positive steps to ensure the Council's sites are utilised to enable early delivery of much needed affordable housing stock.

**10. Sustainability/Climate Change Implications**

Each planning submission will need to fully comply with requirements of planning legislation and Building Regulations. Members may also include any additional priorities as part of the development delivery strategies for each site.

**11. Timetable for implementation**

Upon agreement from this Committee

**12. Contact**

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**Background papers:**

None

**Appendices:**

- Appendix 1 – Thameside House Status Slide
- Appendix 2 – Oast House Status Slide
- Appendix 3 – Benwell House Phase 2 Status Slide
- Appendix 4 – Ashford MSCP Status Slide