

Name of meeting: CABINET
Date: 22nd September 2015

Title of report: Housing Delivery plan - Small Sites
 Project (POS Objection)

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|--|--|
| Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | Yes |
| Is it in the Council's Forward Plan? | Yes/ No or "not applicable" If yes give date it first went in |
| Is it eligible for "call in" by Scrutiny? | Yes |
| Date signed off by <u>Director</u> & name Is it signed off by the Director of Resources? Is it signed off by the Assistant Director - Legal & Governance? | - Jacqui Gedman, Director of Place – 11/09/15 - Debbie Hogg, on behalf of David Smith, 14/09/15 - Karl Larrad, on behalf of Julie Muscroft, 14/09/15 |
| Cabinet member portfolio | Joint portfolio Place/ Resources/ Communities |

Electoral [wards](#) affected: Newsome

Ward councillors consulted: Yes (as part of the cabinet report dated 25th August 2015)

Public or Private: **PUBLIC**

1. Purpose of report

On 25th August 2015, cabinet agreed the content of the Small Sites report, which included a decision to approve the disposal of sites listed within this report.

This decision was subject to there being no objections received, in response to the disposal notices that were being advertised at the time of the cabinet meeting. It was agreed that any objections received, as a result of these notices, would be brought back to Cabinet for consideration and for a decision on the disposal of any affected site(s).

The consultation period for the required disposal notices has now concluded. In total, the council received one objection, which was for the land at Elm Street in Newsome.

2. Key points

2.1 The decisions before cabinet.

In accordance with our statutory obligations, the project advertised sites for withdrawal as other “open space”, as set out under section 123 (2A), of the Local Government Act 1972. The requirement is to advertise notices in local papers for 2 consecutive weeks. Any objections received as a result of this must then be considered.

One site, Elm Street in Newsome, received an objection which is attached at Appendix A.

Members are asked to consider the objection received in response to the disposal notices advertised and, having considered this objection members are asked to consider approval for the disposal of the site.

Details of the site, and the objection received, are attached at Appendix A.

2.2 Budget

The budget implications were set out in the report dated 25th August 2015, for reference this information is included below;

The cost for the preparation of sites varies but is typically in the region of £6,500 to £7,000. The preparation costs include, for example, Officer time; legal time; planning application submission; ecology reports; topographical reports; flood risk reports; highway reports; noise reports; environmental reports; searches and so forth.

An anticipated potential capital receipt for a typical plot of land to house a single plot could be in the region of £20-30k; a double plot could be in the region of £35-50k and a large detached plot could be in the region of £60k+ but there is a note of caution that these will not be actual net receipt values when considering the preparation costs and officer time. Other factors that could also impact on a potential capital receipt are impossible to determine due to things such as location, supply, demand and competition.

Valuations have not been completed for a number of sites but for illustration purposes only, if it was assumed all sites were medium sized sites and used the lowest valuation (£35k for a double plot), and if all 21 sites were sold, the minimum amount received would be £735,000 in capital receipts. The net value, assuming the highest costs of £7,000 per site, would be £588,000.

Potential additional income from New Homes bonus (NHB) and Council Tax (CT), if the target of 250 units was met, could be in the region of £1.65m over 6 years in NHB and £275k per annum in CT if the units were split between Band A – 100; Band B – 80 and Band C – 70. This calculation is for illustrative purposes only.

The site, at Elm Street, has incurred preparation costs as set out above. Using the methodology described, this site could achieve in the region of £35-£50k. If this site was to sell, the minimum amount received would be £35k. The net value, assuming the highest preparation costs of £7k per site, would be £28k.

2.3 Project benefits

Sites identified for the project, including this one, are seen as key to supporting the economic resilience of the district through the delivery of new additional housing stock. It is also the intent to use this project to stimulate and grow the local house building industry to further support the growth of the local economy.

A high level review of the councils land and property has revealed the potential to create in excess of 250 houses from small sites but ultimately will be dependent on site assessments.

All sites within the project have been evaluated by officers for their strategic value in providing wider economic benefits, and have been appraised for restrictive covenants, encroachments and developability. This includes the site at Elm Street, which has been assessed and considered suitable for potential development.

3. Implications for the Council

Cabinet are asked to note that removing the site at this stage will impact on the final number of sites for disposal; the total potential number of new homes for this phase of the project and the anticipated capital receipt.

As the site identified has incurred preparatory costs, removing it will require these costs to be offset against the capital receipts generated from other sites. This would reduce the anticipated net income which was set out in the report dated 25th August 2015.

4. Consultees and their opinions

Ward members were consulted as part of the 25th August 2015 cabinet report process, the comments received from Newsome ward members can be viewed at Appendix B.

There have been no further consultations for this report.

It should be noted that the objection, noted at Appendix A, was submitted by Councillor Stewart-Turner, on behalf of the Elm and Manor Estate TRA.

5. Next steps

Subject to Cabinet approval officers will:

- a) Submit the planning application for this site
- b) Continue to proceed with this site, in line with the decisions agreed at cabinet on 25th August 2015.

6. Officer recommendations and reasons

It is recommended that:

- 6.1 Cabinet, having considered the objection to the disposals of the site listed in Appendix A and the officer's analysis of this objection, also listed in Appendix A, approves the sale of the site.

7. Cabinet portfolio holder recommendation

- Portfolio holder has agreed the report for consideration at Cabinet.

8. Contact officer and relevant papers

Mark Gregory
Head of Corporate Landlord
Email: mark.gregory@kirklees.gov.uk
Tel: 01484 221000

9. Assistant director responsible

Joanne Bartholomew
Assistant Director – Place
Email : joanne.bartholomew@kirklees.gov.uk
Tel : 01484 221000

APPENDIX A – Sites with Public Open Space Objections

Where a local authority wishes to appropriate or dispose of any other type of open space, the amended Local Government Act 1972, section 123 (2A), says that a principle council may not dispose of land under s123, or any land consisting of open space, unless they cause a notice to be advertised of their intention to do so. The notice should specify the land in question and must be advertised for two consecutive weeks in a local newspaper, but there is no requirement to display notices at the site. The authority must carefully consider any objections received to the proposed disposal, it need take no further action on them and may confirm the appropriation or disposal.

The definition of “open space”, in section 336 Town and Country planning act 1990, is any land laid out as public garden, or used for the purposes of public recreation or land used as a disused burial ground.

Comments received

The following objection was received in response to the statutory notices published in the Huddersfield Examiner on 4th and 11th August 2015.

Cabinet are asked to note that the objection received, for the site at Elm Street, have been considered by officers who still consider the site suitable for residential development.

SITE: Elm Street, Newsome

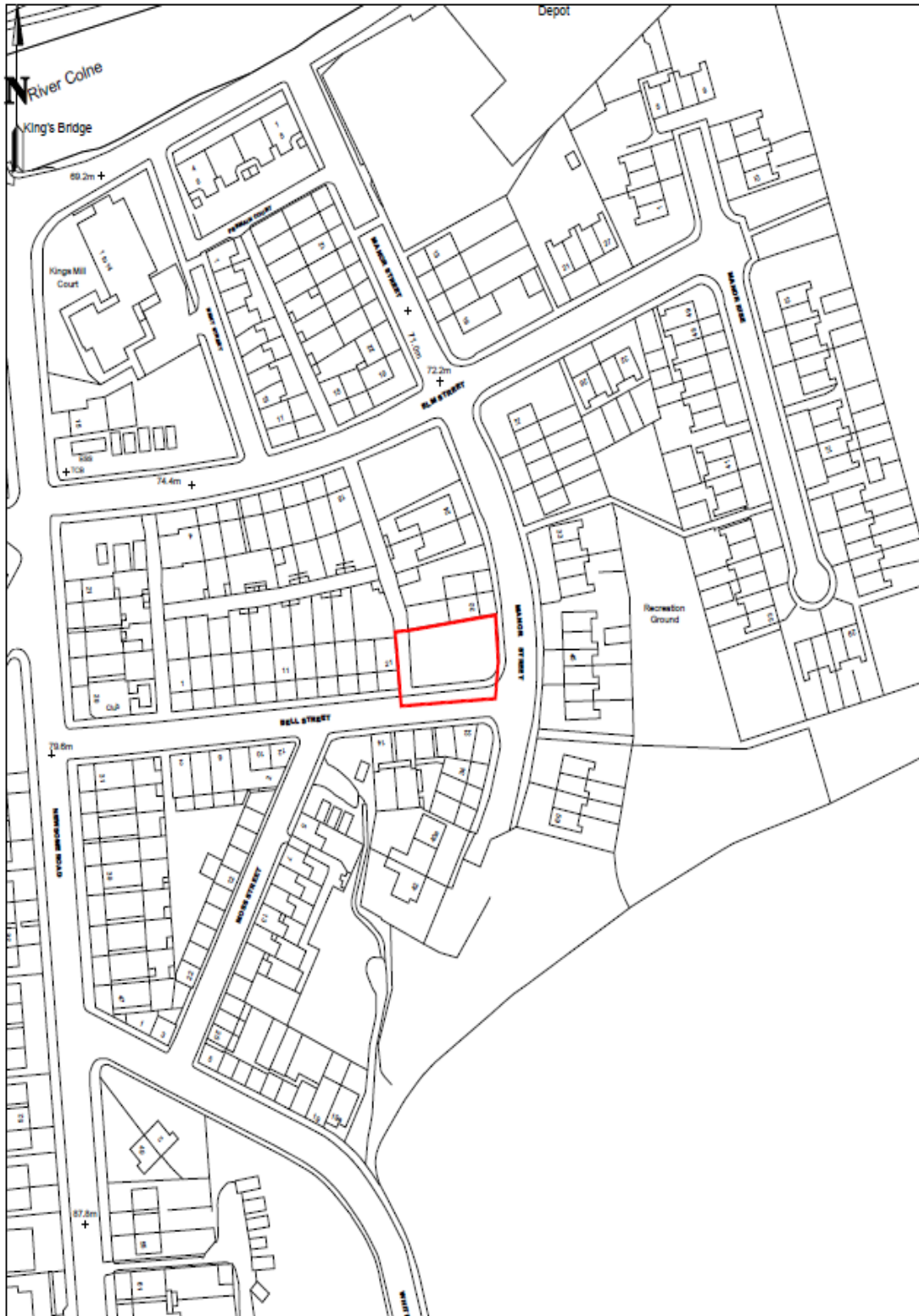
1 individual response was received, **objecting** to the proposed disposal

The objection was submitted by Councillor Stewart-Turner, on behalf of the Elm and Manor TRA.

The grounds of objection can be summarised as follows:-

- Residents feel that the loss of this piece of land would be a blow for the community
- There is no other flat piece of land near-by, and no other community venue
- This piece of land is the only space where residents can erect gazebos, activity shelters, etc. so that they can hold community events (e.g. the garden competition on the 5th September)
- The area is popular for local children to play games, as near-by play area slopes, which limits what they can do on it.
- It is unlikely that there will be objections to developing the 2 other pieces of land near-by, but there is strong local feeling about the retention of this land used for community activities. Residents have asked that the 2 areas that will not be contested are not for students.
- A lot of housing in the area has been let to students, and other people are being forced to move away from friends and family. There is a need for additional social housing in this area.

Site plan - Elm Street, Newsome



PHYSICAL RESOURCES
& PROCUREMENT
Plan No: 15-0068
Scale: 1250
Required by:

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Appendix B –

Newsome ward member responses received, and included as part of the report to cabinet on 25th August 2015.

Newsome

Sites: Elm Street; Manor Street; Moss Street

| Date | Councillor | Comment |
|-------------|---------------------------|---|
| 03.07.2015 | Cllr Andrew Cooper | We haven't formed a view as a group yet but if we were to support disposal of these sites I would like to specify that Passivhaus design standards are a condition of sale. I also believe given the nature of the area and its proximity to Town that it would be a good site for social housing developments. |
| 07.07.2015 | Cllr Julie Stewart-Turner | I don't see any problem to developing the garage site off Moss Street, but it would be sad to lose the open spaces on Elm Street, as there is very little open space in the area already that can be used for positive social interaction. |

No comments received from Cllr Karen Allison