



Agenda item:

Summary

Report for:	Cabinet
Date of meeting:	21 st September 2021
Part:	I
If Part II, reason:	

Title of report:	Land assembly for housing development (Appropriation of the General Fund land for the planning purposes of facilitating redevelopment for residential use and land purchase for housing development purposes)
Contact:	Cllr Margaret Griffiths, Portfolio Holder for Housing Mark Gaynor, Corporate Director Housing and Regeneration Fiona Williamson, Assistant Director Housing David Barrett, Housing Development Group Manager
Purpose of report:	To be read in conjunction with Part II. To seek approval to purchase a site known as land at Bulbourne Road, Tring, HP23 5QE from Tring Town Council for housing development purposes. To seek approval for the appropriation of the site known as land at Marchmont Farm, Hemel Hempstead, HP2 6JH for planning purposes. To seek approval for the appropriation of the site known as Paradise Depot, Hemel Hempstead, HP2 4TF planning purposes. To seek approval from Cabinet to authorise the Assistant Director of Finance to appropriate the sites known as Land at Marchmont Farm Hemel Hempstead and Paradise Depot, Hemel Hempstead to the Housing Revenue Account after the proposed new homes have been built.
Recommendations:	<ol style="list-style-type: none"> 1. To approve the acquisition of Land at Bulborne Road, Tring from the Housing Revenue account. 2. To confirm that the areas of land at Marchmont Farm, Hemel Hempstead and part of Paradise Depot Hemel Hempstead shown edged red at Appendix B are no

	<p>longer required for the development and commercial purposes for which they are currently held.</p> <p>3. To approve the appropriation of land edged red on the plans at pages 3 and 5 Appendix B pursuant to section 122 of the Local Government Act 1972 for the planning purposes of facilitating redevelopment for residential use pursuant to section 226 of the Town and Country Planning Act 1990.</p> <p>4. To authorise the Assistant Director of Finance to appropriate the sites known as Land at Marchmont Farm, Hemel Hempstead and Paradise Depot, Hemel Hempstead from planning purposes to housing purposes and to the Housing Revenue account following completion of the new build homes.</p>
--	---

Corporate Objectives:	Delivering Affordable Housing
Implications:	<p><u>Financial</u></p> <p>The overall development budget is reviewed strategically as part of the annual review of the Housing Revenue Account Business Plan. Each individual scheme, following contract award, is subject to close financial monitoring with any variances agreed formally through a change control process.</p>
'Value For Money Implications'	<p><u>Value for Money</u></p> <p>The lifting of HRA borrowing cap has provided the opportunity to take out additional borrowing, through the Public Works Loan Board (PWLB), at what are still historically low rates of interest, enabling the expansion of the new build programme in a sustainable and affordable way.</p> <p>Land purchases are in line with Red Book Valuations to ensure that the Council can demonstrate value for money.</p>
Risk Implications	<p>Risk Assessments are completed within the new build Project Initiation Document (PID) and are reviewed and updated on Project Management Office, on a monthly basis.</p> <p>There is an ongoing requirement to deliver affordable housing in the Borough, evidenced by the high demand on the housing register. Failure to progress delivery will increase pressure on the homeless service which could have General Fund implications.</p>
Community Impact Assessment	<p>A Community Impact assessment is not required because homes are developed and allocated in line with demand and eligibility for homes is assessed in line with the Council's Allocation Policy, which has had a full Community Impact Assessment. The Developments will include some Wheelchair accessible units.</p>

<p>Health And Safety Implications</p>	<p>Each new build scheme has in place a Principal Designer and Construction Design and Management Regulations (CDM) Advisor. Contractors are required to comply with the Council's Health and Safety (H&S) policy along with Considerate Constructors' requirements.</p> <p>Health and Safety is identified as a key risk for the Housing Service and is reported to the Council's Housing and Communities Overview and Scrutiny Committee on a quarterly basis.</p>
<p>Monitoring Officer/S.151 Officer Comments</p>	<p>Deputy Monitoring Officer:</p> <p>Pursuant to section 120 of the Local Government Act 1972 ("LGA"), the Council has the power to acquire land for the purposes of (a) any of the council's functions under the Local Government Act or (b) for the benefit, improvement or development of the area. The report sets out how these requirements are met.</p> <p>In addition to the above power, further to section 9 of the Housing Act 1985, a local authority may provide housing accommodation by erecting houses or converting buildings into houses on land acquired by them.</p> <p>Pursuant to section 122 of the LGA, a local authority may appropriate land it owns held one for purpose to another purpose, if the land is no longer required for its existing purpose. In reaching this decision, the Council must consider the public need within the area for the existing use.</p> <p>The purpose for which the local authority is appropriating the land must be authorised by statute. Further to section 17(1)(a) of the Housing Act 1985, a local housing authority may acquire land for housing purposes.</p> <p>Section 203 of the Housing and Planning Act 2016 provides that where land has been appropriated for planning purposes then existing rights, which could prevent the development of that land from being carried out in accordance with the planning permission can be overridden, subject to payment of compensation to the affected parties. By virtue of appropriating under section 122 LGA, section 203 will be enabled.</p> <p>Deputy S.151 Officer</p> <p>Land purchases are in line with Red Book Valuations to ensure that the Council can demonstrate value for money for both the council taxpayer and the HRA.</p>
<p>Consultees:</p>	<p>Mark Gaynor, Corporate Director Housing and Regeneration</p>

	James Deane, Corporate Director Finance & Operations Fiona Williamson, Assistant Director Housing Nigel Howcutt, Assistant Director Finance and Resources Richard Rice, Commercial Asset and Property Development Group Manager David Barrett, Group Manager, Housing Development
Background papers:	Appendix B – Site Locations & Proposed Plans
Glossary of acronyms and any other abbreviations used in this report:	HRA - Housing Revenue Account H&S - Health and Safety PWLB – Public Works Loan Board PID – Project Initiation Document CDM – Construction Design & Management Regs 2015

Background

Since 2013, the Council has delivered 338 new Council homes in the Borough. The Council already has both a good record of achievement on delivery of new homes to date and a strong pipeline of new schemes programmed. The lifting of the borrowing cap on the HRA has presented an opportunity to accelerate delivery and enable a sustainable ongoing development programme. This report seeks to obtain approval to secure land identified in the current programme for development.

Purchase of Land at Bulbourne Road from Tring Town Council

Council Officers are in consultation with Tring Town Council regarding the purchase by the Housing Revenue Account of a site fronting on to Bulbourne Road for the purposes of building new council housing. The location is outlined in red on the site plan contained in Appendix B. Appendix B also contains an indicative schematic of the proposed development.

The land comprises part unused land, part parking for some of the neighbouring properties that is rented and part allotments. The parking and allotment area will be maintained after construction of the housing development. The Secretary of State has approved the relocation of the allotment area and this has been confirmed by our external solicitors. The section of the land shown edged in blue on Appendix B will remain in Tring Town Council's ownership and will be the site of the new allotments and associated parking. Dacorum Borough Council will construct the parking for the allotments which has been factored into the valuation.

The current proposal is seeking to provide a total of 11 homes, 7 No x 2 bed 4 person houses and 4 No x 3 bed 5 person houses, one of which will be fully wheelchair compliant.

The site has a Red Book valuation and any purchase is subject to agreement of Heads of Terms and the proposed development obtaining statutory planning approval.

Appropriation of Land known as Marchmont Farm, Hemel Hempstead by the Housing Revenue Account for planning purposes.

This is a semi enclosed field that is owned by the general fund and currently has open access from Laidon Square through to Picketts End Lane. The land is currently held for

the benefit, improvement or development of the Council's area further. The final design will still allow access through the development along with a public open space at the end of the site where it connects with Picketts End Lane. This is in keeping with the overall master plan for the area. The current proposal is seeking to provide approximately 32 social rented homes. See Appendix B for the existing site plan and proposed development.

In order to ensure a continued pipeline of the future affordable housing development sites, this report seeks approval to consider the appropriation of the General Fund land to planning purposes and then subsequently to the Housing Revenue Account at market value.

The valuation is based upon on Red Book valuation and the appropriation is subject to obtaining statutory planning approval.

Appropriation of Land known as Paradise Depot by the Housing Revenue Account for planning purposes

Located on Paradise industrial estate, Paradise Depot comprises a large commercial unit currently used by DENS, a charitable organisation that supports homeless and vulnerable individuals, with an on-site food bank and a small industrial building which is currently used for car repair and mechanical services. Dacorum Borough Council are looking to provide a development containing social rented units, and a standalone commercial unit for DENS. The current proposal is seeking to provide a total of 56 units. See Appendix B for the site plan and proposed development. The area shown in red shading is the area identified for appropriation. The existing purposes will no longer be required following the new development as the facilities will be available at the new unit for DENS.

In order to ensure a continued pipeline of the future affordable housing development sites, this report seeks approval to consider the appropriation of the General Fund land to the Housing Revenue Account at market value.

The valuation is based on a Red Book valuation and the appropriation is subject to obtaining statutory planning approval.

Recommendations

That the purchase of land known as land at Bulbourne Road, Tring, HP23 5QE from Tring Town Council for council housing development purposes set out in this report be approved.

To confirm that the sites known as Land at Marchmont Farm, Hemel Hempstead and Paradise Depot Hemel Hempstead are no longer required for their current purposes and appropriated from the General Fund land to planning purposes to enable housing development.

To authorise the Assistant Director of Finance to appropriate the sites known as Land at Marchmont Farm, Hemel Hempstead and Paradise Depot, Hemel Hempstead from planning purposes to the Housing Revenue account following completion of the new build homes.

