

Chichester District Council

THE CABINET

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Land at Mill Road and Covington Road Westbourne – Community Land Trust Proposal

1. Contacts

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2. Recommendation

- 2.1 **The land to the rear of 50-56 Mill Road and the land at Covington Road Westbourne be declared surplus to requirements.**
- 2.2 **To note that following this, the actions set out in section 5.0 of the agenda report are to be pursued by the officers under delegated authority.**

3. Background

- 3.1 This report primarily relates to Chichester District Council's (CDC) land to the rear of 30-56 Mill Road Westbourne which Westbourne Community Trust (WCT) is seeking to acquire. WCT has also asked for consideration to be given to the transfer of an area of open space at Covington Road Westbourne which is recommended and the Scout premises in Mill Road, Westbourne which is not recommended at this time and is not considered in this report.
- 3.2 CDC's Housing Delivery Team is currently supporting WCT through its community led housing (CLH) early stage support programme. An affordable housing working group was set up by the Parish Council to investigate their housing needs and the delivery mechanisms. Subsequently, a CLH steering group was formed with both members from the Parish Council and the community to set up a Community Land Trust. In this regard Westbourne Community Trust was incorporated as a Community Benefit Society on 13

November 2018. They have based their objectives on the Charity Commissions example Rural Regeneration Objectives.

- 3.3 The Westbourne Neighbourhood Plan (WNP) has identified two market housing development sites. However, as they are expected to deliver less than 11 units, no onsite affordable units can be sought. There are 19 households on CDC's housing register who have a local connection to Westbourne, of which 47% are in priority housing need. The Housing Delivery Team has been working with WCT to identify potential affordable housing sites to meet the local housing need and have identified the land to the rear of 30-56 Mill Road as a potential site. WCT has been advised by Planning Policy that although the Mill Road land has not been included as a housing development site in the WNP it could be the subject of a planning application for housing development as an exception site for affordable housing.
- 3.4 The land to the rear of 30-56 Mill Road comprises part of a larger site acquired in 1947 for housing purposes. The land was not included in the initial housing development and was excluded from the 2001 transfer of land with the housing stock as it was considered to have long term potential for housing development. In this connection CDC also retained part of the long gardens of the houses that transferred (or had sold under the right to buy) and these areas are the subject of garden licences at nominal rentals. Excluding the garden land and the access road the land comprises a site of 0.78 ha.
- 3.5 In 2002-2003 the Parish Council approached CDC through the Communities Team seeking a long term (99 year lease) agreement to use the land for open space purposes, the land being more centrally located than the main recreation ground to the north of the village. This conflicted with the long term ambition of promoting the land for housing development but CDC agreed to grant a lease to the Parish Council for a limited period of 30 years. This lease will expire in 2033 and the Parish Council currently pay a concessionary rental of £100 per annum.
- 3.6 As part of the development of the WNP preparation, the site was submitted as a potential housing development site for inclusion in the Plan. This was favoured by the Parish Council on the basis that the site would be jointly promoted by the CDC and the Parish Council, and development would be restricted to part of the site. As leaseholder, the Parish Council would have shared the potential of the development and achieved an enhanced interest in the residue of the land. Unfortunately before the WNP housing sites were finally determined an alternative site (not supported by the Parish) was granted planning permission on appeal and this replaced the Mill Road land in the plan.

4. Outcomes to be Achieved

- 4.1 The WCT wish to acquire the Mill Road land from CDC and use part of this as an exception site for about 10 affordable houses with provision of enhanced community facilities on the remainder of the site including play facilities, toilets and other facilities to support the adjoining allotments.

- 4.2 To help achieve community support the WCT would not seek to include the sections of retained gardens in the development. Small capital receipts might be achieved by CDC through offering this land to the householders in the cases where the house has been acquired.

5. Proposal

- 5.1 The land to the rear of 50-56 Mill Road to be sold to WCT at a market value which reflects the limited value of an exception site, for affordable housing with a retained community use on the remainder of the land. The sale to include appropriate covenants and restrictions to ensure that the houses built on the land are retained as affordable housing in perpetuity.
- 5.2 The land at Covington Road to be transferred to the WCT for a nominal payment, subject to appropriate covenants and restrictions being included in the transfer, to ensure that it is retained as open space.
- 5.3 If the sale to the WCT proceeds, CDC's retained land let on garden licences will be offered for sale to relevant householders. Pending this right of access to be retained over the land to the rear of 50-56 Mill Road.

6. Alternatives Considered

- 6.1 As far as the Mill Road and Covington Road sites are concerned, CDC has the options of retaining the present arrangements or selling to the WCT as proposed.
- 6.2 The Covington Road land had been identified as a potential building plot but an Inquiry determined that residents had established a right of way over the land which limits use to open space purposes.

7. Resource and Legal Implications

- 7.1 CDC has CLH grant for land purchase (up to £10,000 per plot) and grant for technical and feasibility costs to bring a CLH scheme to planning (up to £30k per scheme). CDC also has commuted sum money which can be used as grant towards development costs of new affordable units. In addition to this, the WCT can also access grants from the national CLH funds for capital, revenue and infrastructure costs. For the community element of the proposal, WCT could potentially access the New Homes Bonus via the Parish bid process.

8. Consultation

- 8.1 Internal consultations have been undertaken with CDC officers. The Parish Council has been representing local interest in wider discussion about the proposals.

9. Community Impact and Corporate Risks

- 9.1 The Mill Road site is not an easy one to bring forward for development. Although, the issues will be reduced as the WCT, Parish Council and CDC will be working together.

9.2 The access to the site is owned by the Parish Council with a covenant limiting use to recreational purposes. There are also two ransom strips – one imposed when the adjoining land was originally sold for residential development and the other when the land changed hands between housing developers that also restrict the use of the access road. In all cases the restrictions are believed to have been imposed for financial reasons to enable the beneficiaries to charge for permitting access for development on the subject land or the land to the east. The parties may be prepared to release the restriction for a low value exception site but options for overcoming the restrictions need to be investigated.

10. Other Implications

Are there any implications for the following?		
Crime and Disorder		No
Climate Change There are some concerns about flooding in Westbourne but account will be taken of any potential flood risk in proposals for the land.	Yes	
Human Rights and Equality Impact. The proposal includes the provision of affordable housing for local people in need of assistance in housing provision.	Yes	
Safeguarding and Early Help The proposals include the provision of improved play provision for young children	Yes	
General Data Protection Regulations		No
Health and Wellbeing The proposal will lead to improved housing and community facilities.	Yes	
Other (please specify)		

11. Appendices

11.1 Site Plan Land at Mill Road Westbourne

11.2 Site Plan Land at Covington Road Westbourne

12. Background Papers

12.1 None