

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 4<sup>th</sup> February 2019

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**WARD(S):** Central Ward

**PORTFOLIO:** Regeneration and Strategy - Cllr Swindlehurst  
Leader of Council - Cllr Swindlehurst

### **PART I** **KEY DECISION**

#### **ALPHA STREET CAR PARK – APPROPRIATION TO PLANNING**

##### **1 Purpose of Report**

- 1.1 Cabinet is required to decide upon the appropriation of sites to planning. The principle of disposing of Alpha St Car Park for development was agreed at Cabinet as part of the Small Sites Development Strategy on 14<sup>th</sup> March 2016.
- 1.2 The intention is now to utilise the site as a donor site to the residential element of the Old Library scheme to deliver 14 homes for affordable housing in accordance with the s.106 agreement.
- 1.3 To ensure that any potential interference with third party rights cannot prevent the approved development coming forward it is proposed to formally change the sites status from car parking to planning purposes which requires approval of the recommendation below.

##### **2 Recommendation(s)/Proposed Action**

- 2.1 In accordance with the Local Government Act 1972 Section 122, the Cabinet is requested to resolve:
  - (a) That the Alpha Street Car Park site (shown on the plan at Appendix 1) which belongs to the Council is no longer required for the purposes for which it is presently held;
  - (b) To appropriate the Alpha Street Car Park site (shown on the plan at Appendix 1) which belongs to the Council for planning purposes to facilitate the carrying out of development, re-development or improvement on or in relation to that land.

##### **3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The promotion and delivery of high quality new housing will maximise the value of the Council's asset base, increase council tax receipts and provide an income stream which could contribute to the provision of front line services.

### 3a. Slough Joint Wellbeing Strategy Priorities

Expedient construction of the Alpha Street and Old Library schemes will improve local temporary employment opportunities, as well as increasing opportunities for apprenticeships, enabling local people to improve their learning, skills base and wellbeing. Redeveloping the site and improving the public realm as quickly as possible will improve the quality of the built environment and the image of the town whilst providing much-needed high quality housing.

### 3b Five Year Plan Outcomes

Working expediently to deliver these residential led schemes will address the Five-Year Plan outcomes through the following:

- **Outcome 2** – High quality new homes will attract residents who are likely to manage their own care needs.
- **Outcome 3** – Investing in architecturally led schemes in prominent town centre locations will encourage people to live, work and stay in Slough.
- **Outcome 4** – The delivery of residential schemes will directly contribute towards our residents having access to good quality homes.
- **Outcome 5** - Investing in architecturally led schemes in prominent town centre locations will help attract and retain businesses whilst directly creating opportunities for our residents.

## 4 Other Implications

### (a) Financial

There are no financial implications associated with the recommendations sought.

### (b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
<b>Legal</b>	Appropriating a site to planning mitigates any residual legal development risks	
<b>People and Practice</b>	No risks Identified	
<b>Property</b>	No risks Identified	
<b>Energy</b>	No risks Identified	
<b>Planning</b> - pre-planning conditions remain outstanding which could delay the site start.	Slough Urban Renewal and the appointed main contractor will work closely with Building Control, Planning and Highways to enable the conditions to be discharged.	
<b>Programme</b>	No risks Identified	
<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
<b>Transport and Highways</b>	No risks Identified	
<b>Finance</b>	No risks Identified	
<b>Human Rights</b>	No risks identified	

<b>Health and Safety</b>	No risks identified	
<b>Communications</b>	No risks identified	
<b>Equalities Issues</b>	No risks identified	
<b>Community Support</b>	No risks identified	
<b>Communications</b>	No risks identified	
<b>Community Safety</b>	No risks identified	
<b>Governance</b>	No risks identified	
<b>Performance</b>	No risks identified	

(c) Human Rights Act and Other Legal Implications

It is not considered that there are any Human Rights Act implications arising from the proposals.

The Council has the power to appropriate for any purpose for which the Council is authorised by the Local Government Act 1972 or any other enactment to acquire any land by agreement any land owned by the Council which is no longer required for any purpose for which it is held immediately before appropriation under Section 122 of that Act.

The Council is authorised by Section 227 of the Town and Country Planning Act to acquire by agreement any land which they require for any purpose for which a local authority may be authorised to acquire land under section 226 of that Act.

Section 227 of the Town and Country Planning Act 1990 authorises a local authority to acquire compulsorily any land in their area if the local authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to that land. By a combination of the above statutory provisions, therefore, the Council may appropriate the Alpha Street Car Park site to planning purposes.

Where land has been appropriated for planning purposes, section 203 of the Housing and Planning Act 2016 permits a person carry out building or maintenance work on that land for which there is planning consent and which work is for or related to those purposes, even if that involves interfering with any right of support, easement, liberty, privilege, right or advantage in favour any other land or any restriction as to the user of the land arising from any contract. That person is, however, liable to pay compensation for any such interference under Section 204 of that Act.

(d) Equalities Impact Assessment

There are no identified needs for an EIA at this juncture.

(e) Property

See section 5 below.

## **5 Supporting Information**

### **Site Description**

- 5.1 Alpha Street Car Park is a 0.1 acre site in the town centre on the junction of Alpha Street North and Herschel Street.

### **Background**

- 5.2 The site is currently used as a small 17 space town car park to the south of the High Street that has previously been identified for residential development and disposal.
- 5.3 The site is currently optioned to Slough Urban Renewal under a 5 year option granted on the 17<sup>th</sup> August 2016.

### **Slough Urban Renewal**

- 5.4 The Council entered into a Limited Liability Partnership with Morgan Sindall Investment Limited and formed Slough Urban Renewal (formerly Slough Regeneration Partnership) in March 2013. This followed a competitive process that commenced in 2011 in which the Council sought a private sector partner to help bring forward its regeneration priorities via the Local Asset Backed vehicle (LABV) model.

### **Proposal**

- 5.5 The site has been identified as a donor site for the residential element of the Old Library Scheme and both sites achieved planning in November 2018 (Planning Ref: S/00539/003 and P/17238/000).
- 5.6 The site has consent for the construction of a 3 storey detached building to provide 14 no. self contained residential flats (6no. 1 bed; 8no. 2 bed) on the existing car park site. The section 106 limits the occupation of the units to affordable housing.

### **Slough Urban Renewal – Site Development Plan**

- 5.10 Running in parallel with reports to Cabinet on the Old Library and Alpha Street, the Board of SUR (which consists of three representatives from the Council) has considered reports known as a Site Development Plan (“SDP”), which are essentially site specific business plans.

## **6 Comments of Other Committees**

- 6.1 There are no comments from other committees.

## **7 Conclusion**

- 7.1 Appropriating the site for planning purposes will help reduce any residual risks associated with the redevelopment of the site.

## **8 Appendices**

- 8.1 Appendix 1 – Site Location Plan

## 9 **Background Papers**

- 9.1 Cabinet Report - Small Sites Development Strategy Update – March 2016
- 9.2 Cabinet Report - Redevelopment of Old Library Site – March 2017
- 9.3 Cabinet Report - Redevelopment of Old Library Site – June 2017
- 9.4 Cabinet Report – Proposed Disposal Assets – October 2018