

North Tyneside Council Report to Cabinet 11 April 2016

ITEM 7(a)

Land at Charlton Court,
Whitley Bay

Portfolio(s): Housing and Transport
Finance

Cabinet Member(s): Cllr J Harrison
Cllr R Glindon

Report from Service Area: Commissioning and Investment

Responsible Officer: Mark Longstaff, Head of Commissioning and Investment (Tel: 643 8089)

Wards affected: Monkseaton South

PART 1

1.1 Executive Summary

The two areas of land marked Area A and Area B, respectively, on the Plan attached as Appendix 1, are located at Charlton Court, Whitley Bay, and have previously been declared surplus to the Authority's requirements and available for disposal to a Registered Provider for the development of affordable homes.

At its meeting held on 14th December 2015, Cabinet considered a report that provided information on representations made in relation to a statutory advertisement that was placed in the local press notifying the public of the proposed disposal because the land is considered to be public open space.

Due to the number of objections received, Cabinet resolved to ask officers to reconsider the proposed disposal of the land, taking account of the comments/objections received and to look into possible alternative residential development options that could be submitted to a future Cabinet meeting for consideration.

This report now provides information on a single alternative proposal for the development of the land marked Area A with affordable homes. This will allow Area B to be retained as public open space. This proposal has been the subject of further Ward Member and public consultation.

1.2 Recommendation

It is recommended that Cabinet consider the representations made and determines whether or not to set aside the objections received in relation to the disposal of the land marked Area A at Charlton Court, Whitley Bay and, if appropriate, authorise the disposal of this land.

1.3 Forward plan

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 7th March 2016.

1.4 Council plan and policy framework

The report is relevant to the following priorities set out in the Our North Tyneside Plan 2014 - 2018:

Our Places

Have more quality affordable homes.

1.5 Information

1.5.1 Background

The area of land shown by dark outline on the plan attached as Appendix 1 to this report is Authority owned and is currently accessible by members of the public. It is therefore deemed to be an area of public open space.

The two areas of land marked Area A and Area B respectively, have previously been declared surplus to the Authority's requirements and consideration was being given to their disposal to a Registered Provider of affordable housing for a residential scheme comprising 8no. 2 bed bungalows for older persons and 5no. 1 bed bungalows and 7no. 1 bed flats for people with learning difficulties with on site support.

As these areas of land are considered to be public open space they are subject to the relevant provisions of the Local Government Act 1972. As such, the Authority must advertise its intention to dispose of the land in accordance with Section 123 of the Act and formally consider any representations made. This must be done by placing notices advertising the proposed sale for two consecutive weeks in a local newspaper.

The Authority's intention to dispose of the land at Charlton Court was advertised in the Whitley Bay News Guardian on the 1st and 8th October 2015. The closing date for the receipt of representations was set as 22nd October 2015. Prior to expiry of the closing date, the Council received 82 representations that are summarised in Appendix 2, attached to this report, together with initial responses from the developer.

At its meeting on 14th December 2015, Cabinet considered a report that provided information on these representations. Due to the number of objections received, Cabinet resolved to ask officers to reconsider the proposed disposal of the land, taking account of the comments/objections and to look into possible alternative residential development options that could be submitted to a future Cabinet meeting for consideration.

Officers have therefore worked with the Register Provider and an alternative proposal has now been put forward. This proposes the development of Area A with 13no. 1 bed flats for people with learning difficulties with on site staff support provision, whilst Area B would be retained as protected public open space.

Additional updated developer responses have therefore been provided within Appendix 2 taking into account the proposed change in the scheme.

A resident and Ward Member consultation session was held on 12 February 2016, in order to gauge views on this revised proposal.

In total, twenty one (21) feedback forms have been received, the questions asked were:-

1. Do you feel that the previous resident feedback has been taken into consideration with the revised affordable housing scheme proposal?
2. What are your views on the revised affordable housing scheme proposal for the site?
3. In relation to increasing the supply of affordable homes within North Tyneside, are there any other comments you wish to make?

In relation to Q1, 7 residents felt that previous resident feedback had been taken into consideration. However, 14 residents felt that it had not but this was due to a preference for no development on the site.

For Q2, key comments included:-

- Good compromise;
- Happy with the new plan;
- More acceptable than the first plan leaving plenty open space;
- Better than first layout;
- Need conditions attached that land not built on remains as open space;
- Children's play equipment to be provided;
- Still does not address the high density of housing in the area;
- Does not recognise the strong feelings by residents that no development should take place;
- No development of any sort on the site;
- Only safe play area in the vicinity for children and dog walkers;
- Additional housing would be disruptive to the community and increase social segregation;
- Not affordable as for learning difficulties;
- Increase in traffic; and
- The scheme will be lovely built elsewhere.

Key comments for Q3 are:-

- More over 60 provision in centre of Monkseaton and Whitley Bay;
- Plenty other sites without encroaching on our field;
- Identify other areas that are not so densely populated;
- Every estate must have a safe playing space;
- Needed but in the correct place;
- Other sites including brown land and waste land that could be used; and
- These 'sheltered' homes would be better off closer to amenities.

1.6 Decision options

Following consideration of the objections Cabinet may decide:

- i) To set aside the objections received in relation to the proposed disposal of the public open space within Area A at Charlton Court, Whitley Bay and allow the disposal of the land to proceed; or

- ii) To uphold the objections received in relation to the proposed disposal of public open space at Charlton Court, Whitley Bay in which case the disposal cannot proceed.

1.7 Reasons for recommended option

There is no recommended option.

1.8 Appendices

Appendix 1: Plan showing the land at Charlton Court, Whitley Bay by means of black outline.

1.9 Contact officers

Roy Marston – Senior Manager – Strategy and Support Services – Tel. 0191 6437580
Niall Cathie - Strategic Property Manager – Tel. 0191 643 6517
Alison Campbell - Senior Business Partner – Tel. 0191 643 7038
Jackie Palmer – Planning Manager – Tel. 0191 643 6336
Sarah Heslop – Manager Legal Services: Commercial Team – Tel 0191 643 5456

1.10 Background information

The following background papers and research reports have been used in the compilation of this report and are available for inspection at the offices of the author.

1. Advertisements in News Guardian (1st October, 8th October 2015).
2. Letters of objection from local residents.
3. Council's land ownership records.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

In the event that the disposal does not proceed then any potential capital receipt from that disposal would be lost to the Housing Revenue Account. No capital receipts have been assumed in the Housing Revenue Account for this site.

2.2 Legal

Under section 123 of the Local Government Act 1972, there is a legal requirement for the Authority to advertise its intention to dispose of public open space within its boundaries for two consecutive weeks in a local newspaper circulating within the area, and to consider any objections or representations made. This advertising requirement is the means by which local public opinion regarding such proposals can be obtained. When the Council receives objections to public open space notices, Cabinet are required to consider the objections made and determine whether to proceed with the disposal of these parcels of land.

2.3 Consultation/community engagement

Ward Members were consulted as part of the process seeking to declare the land surplus to the Authority's requirements and available for sale. Ward Members have continued to receive regular updates on this site.

Four resident consultation sessions and a drop in session at Charlton Court flats have been held to share each proposed scheme layout for this site and receive community feedback.

External consultation has taken place in accordance with section 123 of the Local Government Act 1972, by the placement of notices in the local press. Ward Member and resident consultation events have been held to consider the development proposals for the site.

Public consultation will be undertaken as part of the normal planning process in respect of the development proposals for the sites.

2.4 Human rights

There are no human rights implications directly arising from this report.

2.5 Equalities and diversity

There are no equality and diversity implications directly arising from this report.

2.6 Risk management

There are no risk management implications arising from this report.

2.7 Crime and disorder

Crime and disorder issues will be considered as part of the planning process in respect of the proposed development of this site.

2.8 Environment and sustainability

Environment and sustainability issues will be considered as part of the planning process in respect of the proposed development of this site.

PART 3 - SIGN OFF

- Deputy Chief Executive
- Head of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy