

Cabinet

2 October 2018

**Name of Cabinet Member:**

Cabinet Member for Jobs and Regeneration - Councillor J O'Boyle

**Director Approving Submission of the report:**

Deputy Chief Executive (Place)

**Ward(s) affected:**

Foleshill, Bablake, Wyken, Cheylesmore, St Michaels, Longford and Henley

**Title:**

Minor Land Disposals

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**Is this a key decision?**

Yes – more than three Wards of the city are affected

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**Executive Summary:**

Council officers are continually reviewing the Council's land holdings. A number of additional sites have been identified as they are either surplus to operational requirements, or there is expenditure to maintain or the land is subject to fly tipping and anti-social behaviour. The sites identified in the attached appendix may have the potential to be developed as part of a wider development site, including commercial and garden land uses.

The sites identified are a mix of derelict, overgrown and non-operational sites and do not have any strategic benefits for the Council to retain. The Council acting as planning authority is in principle supportive of opportunities to promote urban regeneration throughout Coventry and notes that at least some of these sites may be acceptable in this regard subject to full consideration by the Council through the planning application process.

The preferred method of disposal will be via auction, to guarantee the capital receipts which will be received in this financial year. Sites may also be sold via the tender process to ensure the right purchaser is selected for certain sites, this also includes seeking 'expressions of interest' approval where necessary.

Council officers will continue to review the Council's commercial property portfolio for opportunities to identify land and buildings that do not adequately contribute to the Council's resources and will bring forward further reports recommending disposal.

**Recommendations:**

Cabinet is recommended to:

- 1) Declare the sites listed in Appendix 1 to this report surplus to requirements.
- 2) Approve the freehold disposal of the sites identified in Appendix 1 to this report by auction, tender or direct negotiation.
- 3) Approve the seeking of expressions of interest for land at Abbey Road.
- 4) Delegate authority to the Director of Finance and Corporate Services, following consultation with the City Solicitor, to agree the final terms of the land transactions, complete the necessary legal documentation and collect the consideration obtained for the sale.

**List of Appendices included:**

Appendix - List of sites and property to be declared surplus

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

Report title: Minor Land Disposals

## **1. Context (or background)**

- 1.1 Following a further review of the Council's land holdings, a number of sites have been identified where there are no strategic reasons for the Council to continue to retain them.
- 1.2 The identified sites are a mix of non-operational assets and in some instances are derelict, overgrown and are being used for fly tipping and anti-social behaviour. The subsequent development of these sites may generate requirements for planning obligations to improve the sites.
- 1.3 Following advice from Planning Policy, informal views have been stated within the appendix, however all purchasers will need to seek their own independent legal and planning advice prior to any sale.
- 1.4 The land at Abbey Road is only being considered to obtain consent to seek expressions of interest from all community groups, it is not being considered for sale. The expressions of interest exercise will invite all community groups to submit a business plan to detail proposals on managing the land for community purposes.
- 1.5 The preferred method of disposal is to submit selected sites into auction, some may require outline planning consent prior to disposal and some sites may be sold without obtaining planning consent. Sites at Caradoc Close and Cheltenham Croft will be sold through a tender process to ensure Registered Social Landlords are given the opportunity accordingly.
- 1.6 A list of the sites with site plans identified for disposal is attached as Appendix 1 to this report.
- 1.7 The Director for Property Management & Property Services has delegated authority to dispose of property at auction and to agree terms for minor land disposals where the consideration is less than £50,000, in consultation with the Cabinet Member. Rather than submit separate reports for each disposal, one collective report has been produced.

## **2. Options considered and recommended proposal**

- 2.1 **Disposal of the sites & property identified** – As specified earlier in the report, the sites do not form any strategic or operational purpose for the Council. The disposal of these sites, which are largely non-performing, non-income producing will generate capital receipts for this financial year 2018/2019.
- 2.2 **Continue status quo** – If the identified sites are not declared surplus and released for disposal then there is a lost opportunity to generate a capital receipt for assets serving no strategic or operational purpose. The sites will therefore continue to remain overgrown and derelict and incur intermittent Council expenditure in response to fly tipping or other local anti-social uses.
- 2.3 It is therefore recommended that the sites & property identified are declared surplus and are disposed via auction, tender or direct negotiation seeking 'expressions of interest' where necessary.

## **3. Results of consultation undertaken**

Ward Councillors have been notified where an identified site falls within their respective ward area and were invited for comments.

#### **4. Timetable for implementing this decision**

- 4.1 Subject to Cabinet approval and necessary planning consents, the sites will be allocated for disposal in 2018/2019 and considered for auction or disposal through negotiation accordingly.

#### **5. Comments from the Director of Finance and Corporate Services**

##### **5.1 Financial implications**

The capital receipt estimated for the sites has been estimated at £675,000 and will contribute towards corporate resources. It is expected that the disposal will be completed by the end of the financial year.

##### **5.2 Legal implications**

Under the Council's Constitution, the Director for Property Management and Property Services has delegated authority to dispose of property at auction or direct negotiation and to agree terms for minor land disposals where the consideration is less than £50,000, in consultation with the Cabinet Member.

Local authorities are given powers under Section 123 of the Local Government Act 1972 Act (the 1972 Act) to dispose of land in any manner they wish, including sale of their freehold interest, granting a lease or assigning any unexpired term on a lease, and the granting of easements. The only constraint is that a disposal must be for the best consideration reasonably obtainable (except in the case of short tenancies of less than 7 years), unless the Secretary of State consents to the disposal

The Director of Finance and Corporate Services (Legal Services) will complete the freehold conveyance/transfers of the sites/property identified in accordance with appropriate procedures and will collect the consideration for the disposals.

#### **6. Other implications**

##### **6.1 How will this contribute to achievement of the Council's Plan?**

The capital receipts will contribute towards corporate resources whilst the disposal of sites will promote their development and support urban regeneration.

##### **6.2 How is risk being managed?**

The risks have been identified as per paragraph 2.2 with the loss of potential capital receipts.

##### **6.3 What is the impact on the organisation?**

###### **Resource Implications**

The impact to the organisation will be minimal however it will generate additional work for officers within Place Directorate (Legal Services) in processing the sales contracts for the auction and dealing with the completion of the sales post-auction.

###### **Property Implications**

The proposed transactions will dispose of sites that do not serve any strategic use and are therefore surplus to requirements and will contribute towards corporate financial targets as specified in paragraph 5.1 above.

#### **6.4 Equalities / EIA**

An Equality Impact Assessment has not been undertaken as the proposal concerns the disposal of land for redevelopment and no group will be impacted.

#### **6.5 Implications for (or impact on) the environment**

The impact will be positive as overgrown, derelict sites will be redeveloped and utilised in a more efficient manner than it currently is.

#### **6.6 Implications for partner organisations?**

There are no implications for any partner organisations.

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Place

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Oluremi Aremu	Major Projects Lead lawyer	Place	24/08/18	30/08/18
Richard Moon (on behalf of Martin Yardley)	Executive Director / Director of Property Management and Property Services	Place	30/08/18	30/08/18
Councillor J O'Boyle	Cabinet Member for Jobs and Regeneration	-	03/09/18	03/09/18

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[www.coventry.gov.uk/meetings](http://www.coventry.gov.uk/meetings)

## Appendix 1

### List of sites for disposal

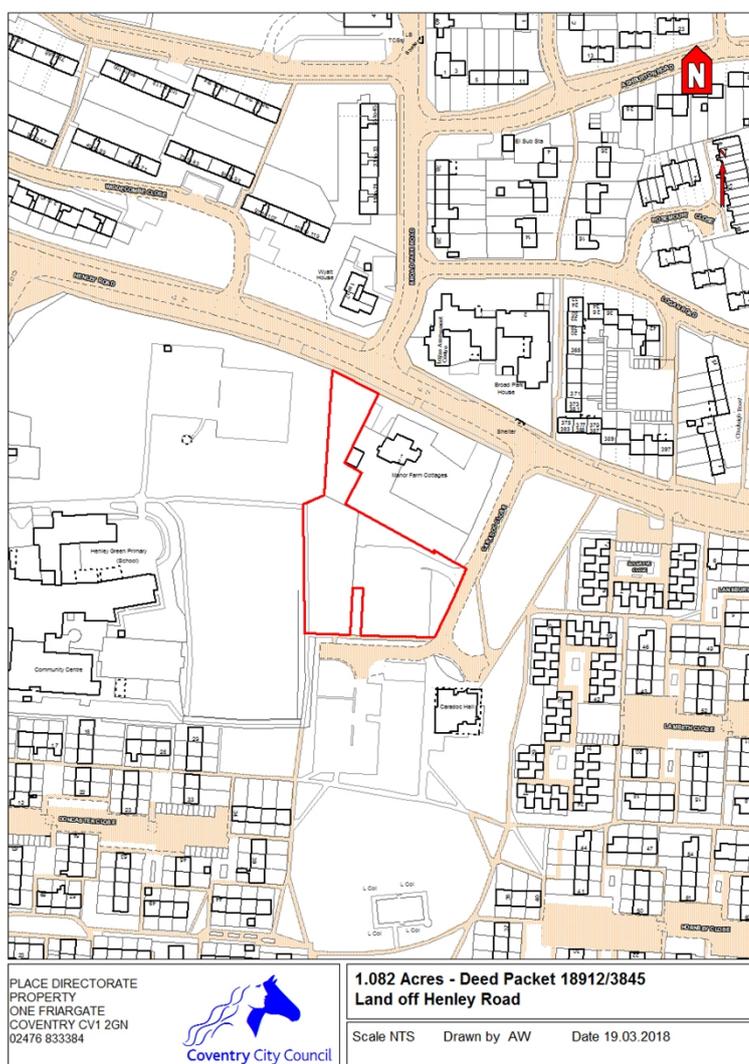
Site Address	Local Ward	Size (Acres)	Potential Plots* (estimated)	Recommendation / Comments
No 1: Land at Henley Road/Caradoc Close	Henley	1.082	10	Subject to planning, obtain approval to dispose via tender
No 2: Land at Cheltenham Croft	Henley	1.457	15	Subject to planning, obtain approval to dispose via tender
No 3: Land at Wall Hill Road	Bablake	0.343	5	Subject to planning, obtain approval to dispose via tender
No 4: Land off Abbey Road	Chelyesmore	0.421	0	Obtain approval to seek 'expressions of interest' from community organisations.
No 5: Land at Harry Rose Road	Wyken	0.916	0	Obtain approval to dispose via auction
No 6: Land adj Red Lane	Foleshill	0.038	1	Obtain approval to dispose via auction or direction negotiation
No 7: Freehold Street, Former Afro Caribbean Youth Centre	St Michaels	0.104	2	Subject to planning, obtain approval to dispose via auction
No 8: Land adj 277 Longford Road / Oban Road	Longford	0.240	4	Subject to planning, obtain approval to dispose by direct negotiation

## Site No 1: Land at Henley Road / Caradoc Close

1.082 acres comprising of overgrown vegetation and hard-standing ground, situated between Henley Road and Caradoc Close. The land is non-operational and subject of fly-tipping. The land is managed, maintained and part of Place Directorate portfolio.

### Planning Policy Comments

From a policy perspective this site would be deemed suitable for housing development in principle as, from the information available at the time of writing, it appears to accord with Policy H3 of the Coventry Local Plan 2011 - in particular paragraph 4. It will however require detailed consideration at the application stage and may need to have specific regard to environmental matters such as urban green space, trees, and ecology.

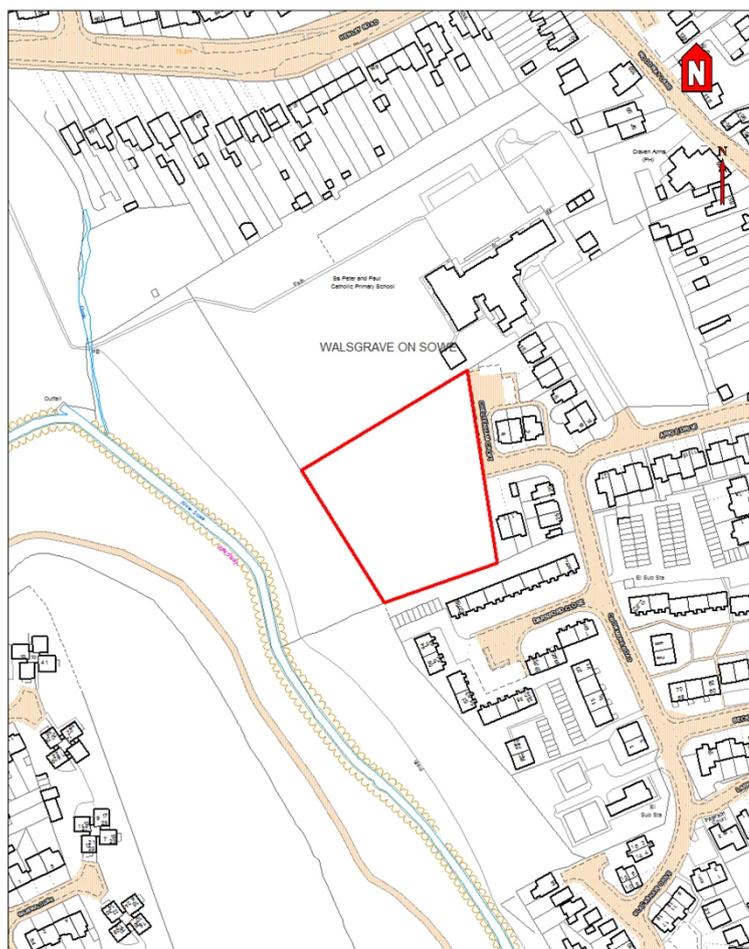


## Site No 2: Land at Cheltenham Croft

1.455 acres comprising of overgrown vegetation, access is obtained from Cheltenham Croft. The land is managed, maintained and part of Place Directorate portfolio.

### Planning Policy Comments

The red-line boundary provided is identical to that of site referenced H2:24 of the newly adopted Coventry Local Plan 2016, and also included in the SHLAA 2016. The site has been removed from the Green Belt and been designated as a Housing Allocation (through the adoption of the Local Plan) to accommodate development. The site is considered to be a viable development opportunity of up to 15 dwellings (net) readily available for development. Development of this site will be beneficial in formalising the adjacent boundary with the Sowe Valley Local Green Space. Development of this plot will need to consider the floodplain and higher quality vegetation to the west of the site which limits the extent of potential development. Any development is expected to facilitate the use of the Sowe Valley corridor. From a policy perspective, subject to the points raised above, any C class development is likely to be acceptable in principle subject to wider consideration at the application stage.



PLACE DIRECTORATE PROPERTY ONE FRIARGATE COVENTRY CV1 2GN 02476 833384		<b>1.455 Acres</b> <b>Deed 3157 - Land at Cheltenham Croft</b> Scale NTS    Drawn by AW    Date 19.03.2018
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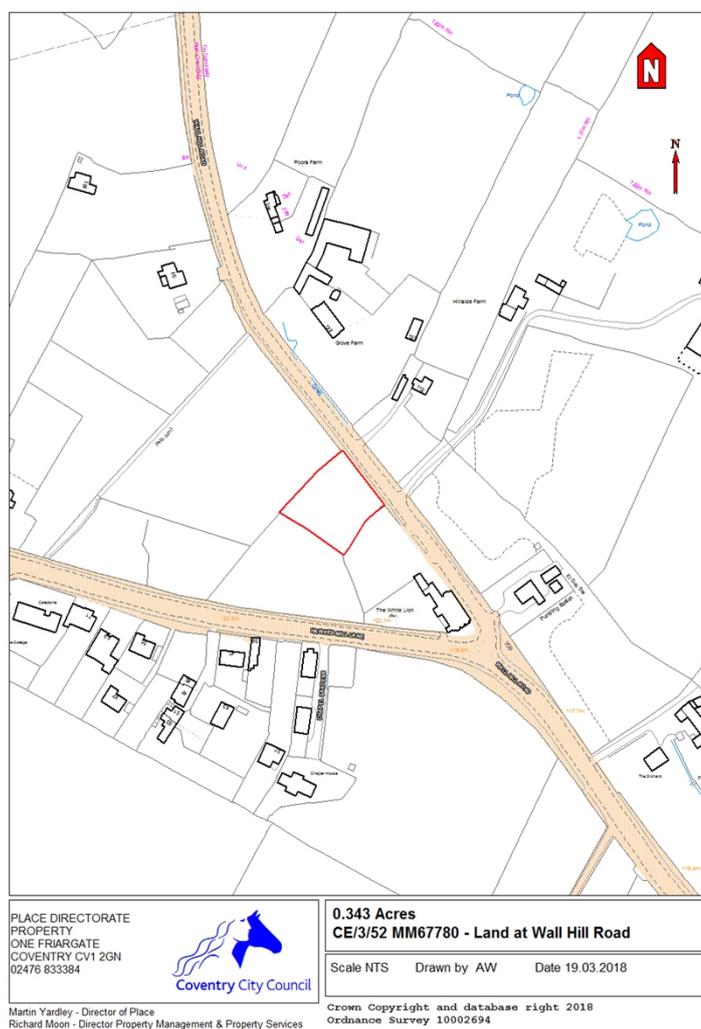
Martin Yardley - Director of Place  
Richard Moon - Director Property Management & Property Services  
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### **Site No 3: Land at Wall Hill Road**

0.343 acres comprising of grass vegetation grounds surrounded by four sides of hedges. The land is managed, maintained and part of Place Directorate portfolio, it is currently non-operational and vacant.

### **Planning Policy Comments**

This site is neither included in the Coventry Local Plan 2016 or the SHLAA 2016 and is thus judged on its merits at the time of writing. The site sits within the Green Belt as established through the adoption of the Coventry Local Plan 2016. Therefore potential development is more restrictive. Because of this, Policy GB1 and the NPPF are particularly important considerations for any potential development of this site. Taking account of this, it would be difficult to justify housing development; although there are exceptions to inappropriate Green Belt development which in this case could include “limited infilling and limited affordable housing for local community needs”. Although having said this, this site was discounted from the SHLAA (2016) (referenced Bab71) based on the fact that as an isolated infill opportunity with nearby existing commercial and residential property, it would contribute towards a sporadic linear frontage along Wall Hill Road. Based on the points raised above, it is clear that only a small infill development may be considered acceptable on this site below a threshold of 5 dwellings or 0.25Ha subject to appropriate design and consideration of the impact on the wider Green Belt at the application stage– see policy GB1, and policy H3 (paragraph 2) of the new Coventry Local Plan 2016 for further guidance.



## Site No 4: Land off Abbey Road

0.421 acres comprising of overgrown vegetation ground, trees and bushes situated off Abbey Road. The land was historically the site of the original community centre which was demolished and is now managed and part of Place Directorate portfolio.

### Planning Policy Comments

This site is neither included as a site allocation in the Coventry Local Plan 2016 or the SHLAA 2016 and is thus judged on its merits at the time of writing. Although this site has previously been developed, it would now be considered an undesignated area of informal green infrastructure. Judging from a desk based assessment, there also appears to be significant tree value associated with the site. Development of the site would therefore be considered unsuitable for comprehensive development as it would require the removal and loss of accessible and useable urban green space and trees. All protected under policy GE1 of the Coventry Local Plan 2016 (especially paragraph 4). Furthermore development here would be against the principles of policy GE3 of the Coventry Local Plan 2016 (in particular paragraph 3), in that it would likely have a detrimental impact upon biodiversity. Policy GE4 of the Coventry Local Plan 2016 also clearly sets out the importance of tree protection and the consideration that will be given in any development proposal. Due to the number of trees located in the site, it would be difficult to avoid coming into conflict with this particular policy. From a policy perspective, based on the points raised above, this site appears to be quite challenging to bring forward for development at the current time.



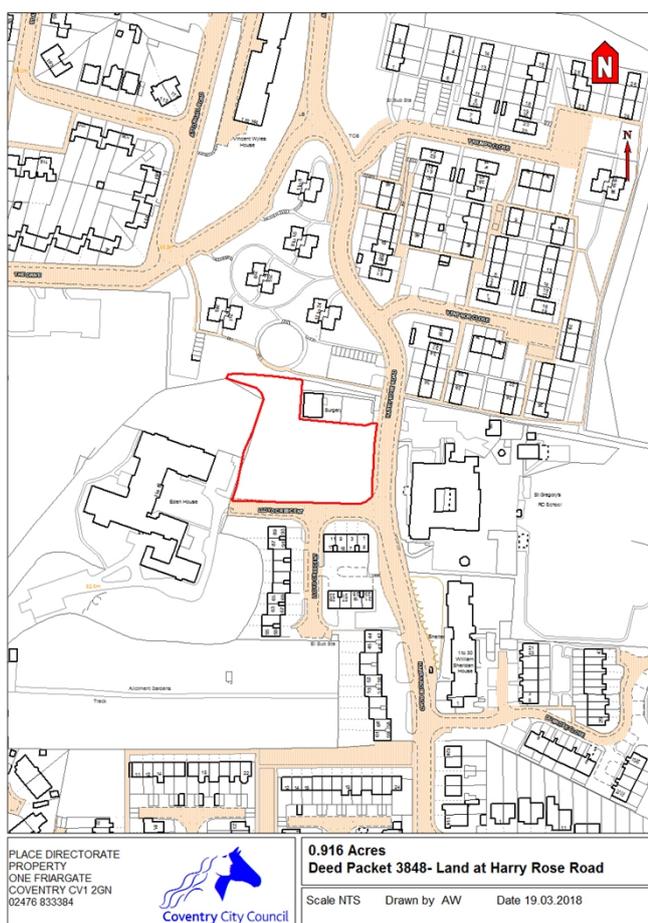
## Site No 5: Land at Harry Rose Road

0.916 acres comprising of overgrown vegetation ground, trees and bushes situated and accessed off Harry Rose Road. The land is subject of fly-tipping and anti-social behaviour, it is managed and part of Place Directorate portfolio.

### Planning Policy Comments

This site is neither included as a site allocation in the Coventry Local Plan 2016 or the SHLAA 2016 and is thus judged on its merits at the time of writing. Although, this site is the subject of anti-social behaviour, it would now be considered an area of informal green infrastructure. Judging from a desk-based assessment, there also appears to be significant tree value associated with the site.

Development of the site would therefore be considered unsuitable for comprehensive development as it would require the removal and loss of accessible and useable urban green space and trees. All protected under policy GE1 of the Coventry Local Plan 2016 (especially paragraph 4). Furthermore development here would be against the principles of policy GE3 of the Coventry Local Plan 2016 (in particular paragraph 3), in that it would likely have a detrimental impact upon biodiversity. Policy GE4 of the Coventry Local Plan 2016 also clearly sets out the importance of tree protection and the consideration that will be given in any development proposal. Due to the number of trees located in the site, it would be difficult to avoid coming into conflict with this particular policy. There are also a number of trees on this site that are given extra protection through numerous Tree Preservation Orders. From a policy perspective, based on the points raised above, this site appears to be quite challenging and costly, to bring forward for development at the current time.



**Site No 6: Land adj Red Lane**

0.038 acres comprising of greenspace hardstanding land with Property Management portfolio, the area has been the subject of anti-social behaviour and fly-tipping. A request from neighbouring resident has been received to consider a disposal. Planning colleagues have not been consulted on this site as yet, approval is sought to consider disposal, subject to planning.



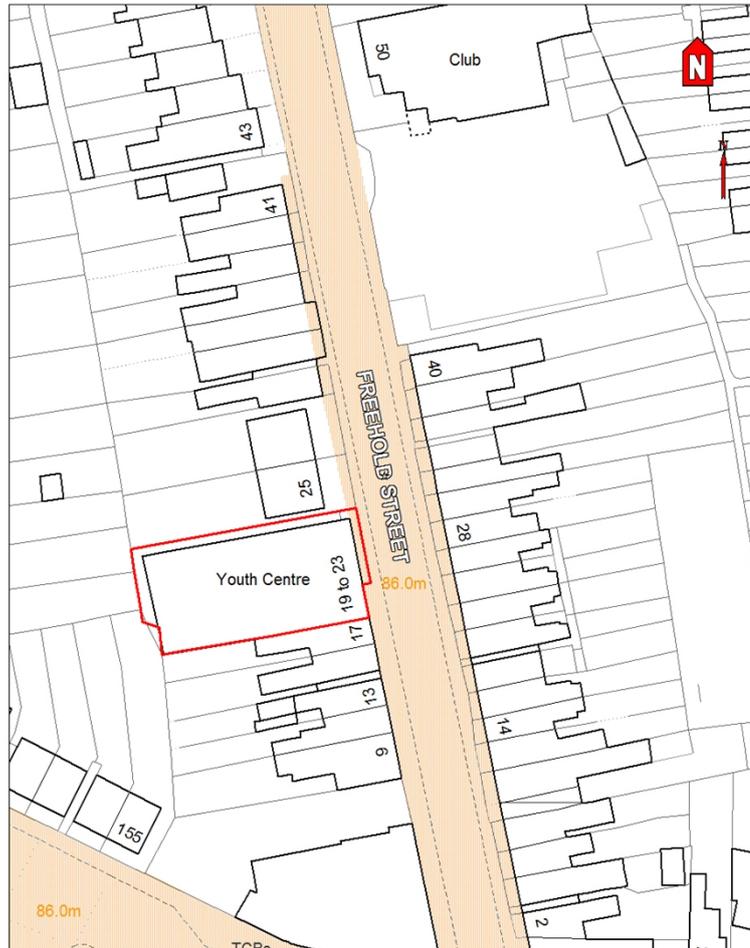
PLACE DIRECTORATE PROPERTY ONE FRIARGATE COVENTRY CV1 2GN 02476 833384		<b>155 sqm / 0.038 Acres - Deed Packet 21976</b> <b>Land adj 30 Red Lane, CV6 5EP</b>
		Scale 1:500    Drawn by AW    Date 11.01.2017

Martin Yardley - Director of Place  
Richard Moon - Director Property Management & Property Services

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**Site No 7: Freehold Street, Former Afro Caribbean Youth Centre**

0.104 acres comprising of a brick building situated on Freehold Street, currently vacant and following Cabinet Member Report 7<sup>th</sup> March 2018 titled Youth Services Property Report, approval is sought to dispose of the property via auction or tender process. All planning related matters including change of use is upon the purchaser to obtain and make necessary enquiries prior to disposal.



PLACE DIRECTORATE PROPERTY ONE FRIARGATE COVENTRY CV1 2GN 02476 833384	 Coventry City Council	<b>422 sqm / 0.104 Acres - Deed Packets 3018/3035</b> <b>Freehold Street, Former Afro Caribbean Centre</b>
Martin Yardley - Director of Place Richard Moon - Director Property Management & Property Services		Scale 1:500    Drawn by AW    Date 08.05.2018 Crown Copyright and database right 2018 Ordnance Survey 10002694

## Site No 8: Land adj 277 Longford Road and Oban Road

0.240 acres comprising of a green space and adjoins private residential properties. The land is maintained and forms part of Place Directorate portfolio.

### Planning Policy Comments

The site would be deemed acceptable in principle when considered against the housing policies set out in the Local Plan (most notably policy H3), but would still need to have regard to site specific issues at application stage. There has recently been a successful application for 2 dwellings to the small area of scrub-land to the south east of the site in question (OUT/2017/2879), illustrating that residential development in this location can be acceptable in principle. However, it is important to note that any development must consider the impact on local green infrastructure, the street scene and ensure respectful separation distances to existing buildings and their curtilages.

In this respect it would also be important to seek further information relating to the ecology and trees on the site given its green nature, in order to properly inform any decision making and at a basic level establishing the viability and deliverability of the site.

