

Report of: Head of Community Housing and Community Development

To: City Executive Board

Date: 23 July 2008

Item No:

Title of Report: Options for the future of Sermon Close Play Area

Summary and Recommendations

Purpose of report: To outline options for the future of the Sermon Close Play Area.

Key decision: No

Portfolio Holder: Councillor Turner

Report Approved by:

Legal: Lindsay Cane

Finance: Sarah Fogden

Policy Framework: The redevelopment of these sites directly supports the Council's vision of working with others to deliver shared goals by meeting its objectives of providing more affordable/social housing, as well as making Oxford a safer City.

Recommendation: The City Executive Board is asked decide which of the options is preferred and to instruct Officers to proceed accordingly.

1. BACKGROUND

- 1.1 Sermon Close Play area is a Council land belonging to the Housing Revenue Account, which was identified along with 14 other former garage sites across the City as potential redevelopment opportunities for affordable housing. Both Housing Services and the Police have stated that Sermon Close is prone to vandalism as well as or other forms of crime and so alternative uses need to be considered. In 2005 claims were made by neighbours backing onto the site that they were

being subjected to anti social behaviour (ASB) manifesting in balls being kicked against walls as well as verbal abuse. Originally only part of the site was going to be redeveloped for affordable housing, whilst at the same time a small play area would be retained. However, due to further complaints from neighbours about ASB it was later agreed to develop the whole of the site for housing.

- 1.2 Sermon Close comprises two existing parking areas separated by a play area. This was the subject of the Green Space Study commissioned by the Council in August 2005, which assessed its condition as poor. It also considered that the play area could be surplus to requirements as it identified Risinghurst, with 5 play facilities, as having a relatively high provision of such facilities.
- 1.3 The Executive Board agreed on 7th July 2003 to endorse a proposal to explore the site for potential social housing opportunities.
- 1.4 The Executive Board on 24th May 2004 considered an option report on the redevelopment of 14 council owned garage sites including Sermon Close in the City. At that meeting the Executive Board agreed an option to work with Home Group Ltd a Registered Social Landlord to build affordable housing.
- 1.5 The Executive Board agreed on 17th July 2006 to give Major Project Approval for Home Group Ltd to develop six sites, including Sermon Close, as part of Phase 2 of the garage redevelopment programme. The same Executive Board approved the disposal of land to Home Group Limited at nil cost. The land is currently held for housing purposes under Part II of the Housing Act 1985. Local authorities are able to dispose of land at less than market value to Registered Social Landlords under a General Consent from the Secretary of State (The General Consent under Section 25 of the Local Government Act 1988 for the Disposal of Land to Registered Social Landlords) and also covers consent under Section 32 of the Housing Act for the disposal of land. In return for the land the Council will receive nomination rights for the newly constructed units in line with our requirements set out in the Partnership Agreement.
- 1.6 Home Group Ltd recently confirmed that they have secured £944,266 of Housing Corporation Grant to develop Phase 2 of the garage redevelopment programme, which includes Sermon Close.

2. OPTIONS

Option 1

- 2.1 In order to progress the redevelopment of Sermon Close Home Group established a Project Group who worked at considerable financial risk to appraise the site's build-ability.

- 2.2 The appraisal work undertaken by Home Group involved employing a number of professional people to carry out numerous investigations into the suitability of the site for housing, this work included defining site boundaries, legal constraints, producing drawings for initial discussions with Planners and detailed site surveys as well as talking to the County's Highways Department.
- 2.3 In August, Home Group submitted a request for pre-application advice on Sermon Close play area to build six affordable 3-bed houses. Feedback from these discussions is that the current proposal could be acceptable subject to a number of amendments and the loss of the existing car park and the play area has to be justified. The Green Spaces Study has already addressed the latter to an extent. A similar situation had arisen at Dynham Place, which is being developed by the same Housing Association, where a small S106 contribution was made towards play facilities elsewhere in the area.
- 2.4 As discussions are still at the pre-application stage, no formal planning consultation has taken place with the local community. Should a full planning application be made the standard consultation of adjoining neighbours will take place.
- 2.5 Planners have indicated the issue of the principle of the loss of the Council owned play area facility should be addressed outside the planning domain and any necessary wider consultation and communication with residents in this respect should be carried out prior to the submission of a planning application.
- 2.6 To date on all the garage/play area sites in the redevelopment programme, the Council and Home Group have carried out a full consultation exercise in the local community. This is undertaken prior to any planning application being submitted. This allows both Members and local residents the opportunity to see and discuss the plans, and Home Group has tried to incorporate the local communities suggestions wherever possible.
- 2.7 On 12 February 2008 the Council and Home Group held an exhibition with the local community, where residents and Members had the opportunity to see three options for the site, which reflected resident's concerns and make comments. The options were as follows to develop the site for 6 x 3 bed affordable housing units:
- a) Including a small play area in addition to the affordable housing.
 - b) Without a play area but with over flow parking in addition to the affordable housing.
 - c) Without a play area or additional parking but with the newly constructed units having larger rear gardens.

Option 2

- 2.8 To leave the site in its present condition. This may be popular locally but it would mean the play facilities deteriorating without further expenditure. Moreover, it would result in the loss of an opportunity to develop the site for affordable housing, because there is no alternative site in the area. This would also entail Home Group repaying a proportion of the Housing Corporation grant. Failure to claim this Grant may affect the City's credibility with the Housing Corporation to deliver affordable housing.

Option 3

- 2.9 To refurbish the play area. The current administration has committed to develop a programme of refurbishment for play areas across the city, and have indicated that additional funding will be made available for this purpose

Option 4

- 2.11 To sell the land on the open market, producing a capital receipt - please see Confidential Appendix for details. This money could then be used for reinvestment as part of the Decent Homes Standard. There would be no affordable housing requirement on the development of the site because it falls below the planning policy threshold of 10 units. Again, this option may not be popular with the local community as the same residents' concerns would need to be addressed before redevelopment could go ahead.

3. FINANCIAL IMPLICATIONS

- 3.1 Under the Prudential code all reasonable options need to be considered. Local Authorities, in carrying out their duties under Part 1 of the Local Government Act (England and Wales) 2003 are required to have regard to all aspects of the Prudential Code that relate to affordability, sustainability and prudence. This means that a range of options has to be considered as set out above in this report.

4. Risks – please see appendix 3.

5. CLIMATE CHANGE/ ENVIRONMENTAL IMPACT

- 5.1 The affordable housing would be built to meet the Housing Corporation's energy efficiency standards current on commencement of development: this is currently Sustainable Homes Code Level 3. In

addition any scheme will be required to meet planning policy requirements for energy efficiency, which includes renewable energy.

6. EQUALITIES IMPACT

- 9.1 The mix of affordable housing units meets priority housing need which has been identified by the Council. The Council will secure nomination rights in perpetuity to the affordable housing and the allocation of the dwellings will be controlled by the ORAH Partnership through the Choice Based Lettings scheme.

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Background papers: None

Appendices:

1. Exempt from publication valuation
2. Table of comments made at the Sermon Close Consultation event held on 12th February 2008 and Table showing attendance at the Sermon Close consultation event held on 12th February 2008
3. Risk matrix for option 1

Appendix 2 Background Papers

Attendees at meeting on Sermon Close scheme

	Number of addresses	Number of people attending meeting
Sermon Close	21	2
Carter Close	18	6 (2 people from same address)
Shelley Close	17	0
Harold White Close	14	1 (2 people from same address)
Knights House (Harold White Close)	27	1
Slaymaker Close	22	1
Baker Close	23	6

Sermon Close Redevelopment Neighbourhood consultation 12/2/08

No.	Name	Address	Comments
1	H Nash	8 Sermon Close	At present am very much against this proposal due to concerns over access and noise and privacy.
2	S M	2 Baker Close	I am against because we have children in the estate who need a play area, no school places!
3	N.B	13 Baker Close	I am strongly against as children need a play area, and parking will be a serious problem without overflow car park.
4	S. Cox	4 Sermon Close	My Main objection to this proposal issue. I also have serious concerns over fire service access.
5	R Teal	4 Carter Close	Issues: Removal of play area for children. Removal of overflow car parks that serve Carter Close, Sermon Close and Baker Drive, and are encouraged to be used by highways. : Access of lorries through Baker Drive and Sermon Close : Removal of sewage system to where? : Noise, mud, and access of building works. Security
6	De Sousa	4 Slaymaker	More houses, More cars, and don't

			know who will live there, I don't support.
7 8	Hedley J Jiang W	12 Baker Close	Disgusted! Will fight this all the way. Have already written letters of complaints, please see those for my full thoughts
9	J Woodley	14 Carter Close	Needs better bus service, only 1 shop, pub, no vacancies in schools trees need keeping, to help flood.
10	P Teal	4 Carter Close	Would be upset because would have to play on street
11	A Roaagard	30 Slaymaker Close	Would be very upset and would have to play on the street which is very dangerous.
12	D Muller	12 Carter Close	I think it would not be nice if we had to play by the cars.
13	O Walls	17 Carter Close	A very ill thought out plan which will cause many problems locally.
14	Luke	4 Carter Close	When I heard about the park turning into house I was angry and sad at the same time.
15 16	Steven, Jayson & Andrew	2 Baker Close	We don't want these houses we want to play. Please, Please, Please don't!!
17	Rosie Steele	16 Carter Close	Does not sound like any consideration has gone into drainage on the site-shouldn't over use of the existing facilities be sorted

			<p>first. If these are to be low income family homes – the bus service needs to be better. There need to be school places available etc. There are so many issues unresolved/not addressed so far. I think this consultation with residents was a poor show.</p>
18	Yvonne Lowe	12 Harold White Close	<p>The project has been rejected by almost everyone on this estate no thought has been given to the fact that there are no schools on this estate and the parking and drainage has been given no thought. The local schools are full and the trees are required to help with water table and wildlife. Under no circumstances must this project be allowed to go ahead.</p>
19	Mrs D Cox	1 Baker Close	<p>I am completely against it because why should we have housing when there are no school places and we need parking and play area for the existing families. The kids are playing on the streets because the council just let the</p>

			<p>Sermon Close play ground rot on purpose.</p> <p>Dead against because we have to put up with the lorries and the construction mess!! I am dead against it!!!</p>
20	John Lowe	1 Harold White Close	<p>What about water drainage. The present system unable to take water waste water due to excess property conversions together with water off Shotover.</p>
21	E M McSporrان	18 Baker Close	<p>No room. Nowhere for our children, too many cars. Could be used as a recycling area. Will fight all the way give us something for our children.</p>
22 23	Mrs R Wienlandt & B Alexis	15 Baker Close 21 Baker Close	<p>We propose against potential building, because it will cause over crowding danger of more cars, more crime. We want better facilities for our children. Stop cramping us in. My children had 20 years of play now my grandchildren do.</p>

Appendix 3 Risk Matrix for Option 1

Risk & Description	Likelihood	Impact (High/Med/Low)	Counter Measures
Housing Corporation grant repaid if redevelopment scheme not carried out	Medium	High	<ul style="list-style-type: none"> • Identify substitute non S106 scheme to keep funding in the City and maintain OCC's enabling reputation
Affordable housing target not met if redevelopment scheme not carried out	Medium/High	High	<ul style="list-style-type: none"> • Identify substitute non S106 scheme to maintain programme numbers
Issues relating to legal title prevent development	Medium	Medium	<ul style="list-style-type: none"> • Full title search carried out during precontract stage • Home Group secure indemnity insurance
Unforeseen increase in construction costs	Low	Medium	<ul style="list-style-type: none"> • Detailed ground investigation prior to contract • Risk transfer from Home Group to contractor through design and build contract