
ASSET MANAGEMENT – ALLOCATION OF LAND

**Responsible Cabinet Member - Councillor Chris McEwan
Efficiency and Resources Portfolio**

Responsible Director - Paul Wildsmith, Director of Corporate Services

SUMMARY REPORT

Purpose of the Report

1. To seek approval to allocate Council owned land for potential residential development in connection with the Local Development Framework (LDF) and in particular the Strategic Housing Land Availability Assessment (SHLAA) process.

Summary

2. One of the most important background information documents used in the preparation of the LDF is the SHLAA which identifies land suitable, available and deliverable for residential development over a period of 15 years.
3. Guidance prepared by the Department for Communities and Local Government (CLG) for the preparation of SHLAA's requires that for Council owned land to be considered available for residential development, there should be a Council resolution which expresses an intention to sell.
4. At present, only Council owned land which has been declared surplus may be taken as available for development and included in the SHLAA. As the SHLAA is the starting point for identifying land to allocate for residential development in the LDF, this means that :-
 - (a) The development potential of Council owned land within existing development limits cannot be taken into account and this increases the amount of housing required to be developed outside development limits, and;
 - (b) Council owned land outside the town's development limits cannot be considered for the expansion of the town which may prevent expansion taking place in the optimum location to meet LDF planning objectives.
5. In order to protect and maximise the Council's position as landowner, it is considered essential that in terms of Asset Management, as much of the Council's land which may ultimately be suitable for residential development be declared available for potential disposal when planning policy and circumstances deem it appropriate. It is important to note

that declaring the land surplus does not commit the Council to selling the land at a future date.

6. The majority of the land being proposed for availability, as identified on the plan **appended** to this report, falls within the Council's agricultural estate, which is distributed around the periphery of the town.

Recommendation

7. It is recommended that the sites identified in the report be declared available for disposal subject to final Cabinet approval.

Reasons

8. The recommendation is supported to meet CLG guidance and to protect the Council's interest.

Paul Wildsmith
Director of Corporate Services

Background Papers

No Background papers were used in the preparation of this report.

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S17 Crime and Disorder	This report has no implications for crime and disorder.
Health and Well Being	There are no Health and Wellbeing issues
Sustainability	There are no sustainability issues
Diversity	There are no diversity issues
Wards Affected	Faverdale, Hummersknott, Lingfield and Central
Groups Affected	Not applicable
Budget and Policy Framework	This report does not present a change to the budget and policy framework.
Key Decision	This is a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	There are no issues adversely affecting the Community Strategy
Efficiency	Identifying the land as potentially available for disposal should ensure the Council's efficient use of its assets.

MAIN REPORT

Information and Analysis

9. One of the most important background information documents used in the preparation of the Local Development Framework (LDF) is the Strategic Housing Land Availability Assessment (SHLAA) which identifies land suitable, available and deliverable for residential development over a period of 15 years.
10. The LDF then selects and indicates the timescale for the development of those sites which best deliver the Planning Objectives of the Local Spatial Strategy (LSS). National and regional planning policy requires necessary development is as far as possible to be accommodated inside the town's existing development limits but where this is not possible, the LDF establishes the preferred location or locations for its extension.
11. Guidance prepared by the CLG for the preparation of SHLAA's recommends that for Council owned land to be considered available for development there should be a Council Resolution which authorises its disposal.
12. Therefore at present only Council owned land which has been declared surplus may be taken as available for development and included in the SHLAA and thus considered in formulating the LDF. In turn this means that:-
 - (a) The development potential of Council owned land within existing development limits cannot be taken into account and this increases the amount of housing required to be developed outside development limits, and;
 - (b) Council owned land outside the town's development limits cannot be considered for the expansion of the town which may prevent expansion taking place in the optimum location to meet LDF planning objectives.

Asset Management

13. It is considered good asset management practice to provide the Council, as landowner, equal opportunity alongside private landowners and developers to have land considered under the SHLAA process. This will help to maximise the potential capital receipts from the disposal of the Council's land for residential development.
14. The land identified on the plan appended reflects the Council's assets which currently meet the SHLAA criteria which have not as yet been declared available for development. However, the council's asset holdings are continually under review and the SHLAA will be updated annually to reflect this.

Land to be Included in the Current SHLAA

15. **Strategic Level (over 250 dwellings)** - The Council's Agricultural Estate is distributed around the periphery of the town and sections of it fall into consideration of the expansion of development limits through the LDF. To protect the Council's position therefore, it is proposed to include Stag House Farm, Newton Lane, as available for potential disposal.

This should address the expansion of the town's development limits for the foreseeable future.

16. **Non-Strategic Level** - There are other Council owned sites individually below the strategic threshold which it is considered will collectively have an influence on the siting and allocation of new housing provision and as such, should be included in the current SHLAA. These sites are Woodburn Nursery Coniscliffe Road, the former Eastbourne School and land at Blakett Road/Throstlenest Avenue as shown on the plan.

Risks

17. Should the Council choose not to follow the CLG Guidance and not pass a Cabinet resolution to make land available for potential disposal, then the outcome could be that the Council's land may not be included within the early stages of the SHLAA programme and development of other areas of land outside the current development limits, which in planning policy terms, are less favourable for expansion of the town, would need to be allocated.
18. Alternatively, the Council could choose to allocate Council owned land for new housing development, even where there is not a resolution on an intention to dispose. However, this approach is likely to be subject to significant challenge from other house builders and landowners with interests in land around the town. This challenge could result in the Council incurring significant additional costs in defending its position and would significantly delay the LDF preparation process.

Outcome of Consultation

19. There has been no external consultation.