

CABINET
10 SEPTEMBER 2019

SALE OF FOUR RIGGS CAR PARK, OFF BONDGATE, DARLINGTON

Responsible Cabinet Member – Councillor Charles Johnson
Efficiency and Resources Portfolio

Responsible Director - Ian Williams
Director of Economic Growth and Neighbourhood Services

SUMMARY REPORT

Purpose of the Report

1. To declare Four Riggs Car Park surplus to Council requirements and to seek approval for the sale of part to an adjoining owner for parking in connection with his adjacent office, garage and residential premises, and the sale of the remainder to developers conditional upon planning permission being granted for a small flatted development on the site.

Summary

2. Four Riggs Car Park, shown on **Appendix 1**, extends to 486sqm. Originally acquired for slum clearance the site has been used for contract parking for many years serving businesses on Bondgate and in the surrounding area, however the car park is very much under-used, and the nearby Upper Archer Street car park has sufficient capacity to accommodate all existing users of Four Riggs (approximately 10 users currently).
3. An enquiry has now been received from Bret Upex owner of the adjacent Temperance Mill property wanting to acquire the area shown stippled on the attached plan (being seven car parking spaces) for parking in connection with his property.
4. By coincidence, an enquiry has also been received from A&P Property Developments Limited wanting to acquire an area of the car park for a small, flatted, residential development and the area shown cross-hatched on Appendix 1 meets their requirements.
5. Terms have been provisionally agreed for sales to both Upex and A&P Property Developments and are detailed later in this report.

Recommendations

6. It is recommended that:-

- (a) Four Riggs Car Park be declared surplus to Council requirements, and;
- (b) The sale of land at Four Riggs Car Park be approved on the terms set out in **Appendix 2 Part III** of this report, and;
- (c) The AD for Law and Governance be authorised to document the sale of the property accordingly.

Reasons

7. The recommendations are supported by the following reasons:-

- (a) To achieve a capital receipt for the Council, and;
- (b) To assist business development and job creation in Darlington.

Ian Williams
Director of Economic Growth and Neighbourhood Services

Background Papers

No background papers were used in the preparation of this report

Richard Adamson : Extension 6318

S17 Crime and Disorder	This report has no implications for crime and disorder
Health and Well Being	There are no Health and Well Being Issues
Carbon Impact	There are no sustainability issues
Diversity	There are no diversity issues
Wards Affected	Northgate Ward
Groups Affected	Not Applicable
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	This is not 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	A capital receipt will help the Councils budget.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

8. Four Riggs has been used as a car park for contract parking (as opposed to general public parking) for many years. The site was acquired in the 1960's as part of a slum clearance programme and subsequently properties were demolished, and the car park created.
9. The car park extends to 486sqm and has 17 car parking spaces (some double depth). The car-park is under-used with only 10 occupiers on contracts at present (including Sykes Electrical who will not be displaced - see para 13 below) and there is ample capacity in the nearby Upper Archer Street Car Park to accommodate these users.
10. Bret Upex, owner of Temperance Mill immediately adjacent to the car park, has refurbished part of the property to flats/apartments (where he lives) and demolished/redeveloped another part of the property for a car service/repair/MOT centre on the ground floor and a self-contained office on the first floor. To serve the garage and office users with parking spaces Mr Upex has asked to purchase seven car parking spaces (the area shown stippled on Appendix 1). It should be noted that, due to his contractor's error during the redevelopment, one of the parking spaces in the car park has already been incorporated into the garage forecourt.
11. A&P Property Developments (A&P) have acquired the detached property No. 3 Four Riggs which is opposite the car park and formerly part of Blackett's builders yard. A&P have submitted a planning application to redevelop the property into six flats and the application is currently being considered.
12. A&P have asked if they can purchase part of Four Riggs car park to carry out another small residential development and the area shown cross-hatched on Appendix 1 is ideal for their purposes and fits in well with Bret Upex's request.
13. The small area shown hatched on Appendix 1 is currently let on contract parking terms to Sykes Electrical for parking in connection with their shop on Bondgate. This plot of land has services running through it and is required for rear access to both Sykes and a residential occupier on the first floor of the property and accordingly it is not considered appropriate to sell it to a third party.

Proposed Terms

14. In informal negotiations Bret Upex has agreed to acquire the freehold interest in the 106 sqm plot, shown stippled on Appendix 1 on the terms set out in Appendix 2 Part III of this report.
15. In informal negotiations A&P have agreed, subject to the grant of planning permission for residential development, to acquire the freehold interest in the 284 sqm plot, shown cross-hatched on Appendix 1 on the terms set out in Appendix 2 Part III of this report.

Valuation Comment

16. It is considered that the provisionally agreed purchase prices represent the best consideration available for a disposal of the freehold interest in Four Riggs car park in line with the provisions of S.123 of the Local Government Act 1972.

Planning Comment

17. Planning permission will be required for A&P's proposed development. A planning application will be assessed in the context of local and national planning policies although the principle of residential use in this location is considered acceptable, subject to appropriate consideration of amenity, access and design and conservation issues in view of the site's location within the Town Centre Conservation Area.
18. Bret Upex's proposed use as car parking will not require planning permission for change of use, although a boundary feature will require planning permission if it is over one metre high as it is next to a highway.

Financial Implications

19. The sale of this property will achieve a capital receipt for the Council.

Legal Implications

20. Specific legal advice is not required but the Assistant Director for Law and Governance will be required to document the sale of the property and deal with any issues arising from the legal process.

Consultation

21. External consultation will take place as part of the normal planning process. Internal consultation has raised no objections to the proposed sale.