

# SLAUGHAM PARISH COUNCIL

## NEIGHBOURHOOD PLANNING

### COMMITTEE AGENDA

**Thursday 9<sup>th</sup> March 2023 at 7.30pm in the Sports Pavilion, High Street, Handcross**

Sally Mclean – Clerk to the Council

Email [clerk@sloughampc.co.uk](mailto:clerk@sloughampc.co.uk)

Website: <http://www.sloughampc.co.uk>

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• if you have tested positive for COVID-19 or are waiting for a test result.

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**Present:** Cllrs Eric Prescott, Lesley Read, David Dunn, Bob St George, Lorette Holborn, Jane MacNaughton, Julia Elliott

**Others Present: None**

1. **Apologies for absence:** To receive and accept apologies for absence: Cllr Earle
2. **To approve the minutes of the meetings held on the 20<sup>th</sup> February 2022** Cllr St George, Cllr Holborn
3. **To receive declarations of interest from members in respect of any items on the agenda:**  
None
4. **Adjournment for questions from the public:** The Committee is to consider whether to adjourn the Meeting in accordance with Standing Orders, in order to receive questions from members of the public.
5. **Slaugham Neighbourhood Plan Review 2022/23 Update:** Members to consider review and amendments to the plan in line with the LPA District Plan:
6. **Members are asked to approve the Council's response to the Community Land Trust letter of the 24<sup>th</sup> February 2023.**
  - 6.1.1. To include a paragraph that will the Council will use the best endeavours as far as reasonable, in the negotiations with Millwood that will help secure the involvement of the Community Land Trust in the provision of affordable housing at that site.
7. **Members are asked to consider comments received on the independent report prepared on behalf of the Parish Council in relation the land disposal St Martin Close (East).** It is envisaged that the report will assist Slaugham Parish Council in their determination of how best to proceed in respect of the proposed disposal of land owned by the Parish Council, known as St. Martin Close (East).
  - 7.1. Community Land Trust 20th February 2023

**Point 1 Decision Making :** CLT accuse the Council of acting unlawfully in a statement in their correspondence to them on the 14<sup>th</sup> February 2023 and are threatening judicial review if the Council do not reconsider their position and rescind the letter: The statement "*SPC do not wish to progress negotiations and are not seeking further offers from SPCLT and/or other parties. The intention is for SPC to make a final decision on if and how to proceed with the site at their next convenient meeting (date to be confirmed)*".

**Response:** The Council is taking care to ensure that it has taken into account all relevant considerations in its decision-making. In particular, any disposal will comply with the Council's duty under s 127 of the Local Government Act 1972, have regard to the impediments on the title and will lead to a planning policy compliant development. The Council has taken no

decisions on the scale, nature or type of affordable housing or by whom it might be delivered; those matters will ultimately be for the developer.

The contract of sale obligations cannot be deliberated until such times as the Council have determined their direction of travel in relation to the report from their professional consultants. Future involvement of the CLT is undetermined at this time. This was the Council's view due to the complex nature of the site and its relationship with the West and it was on that basis that they would not be looking to promote the site further at that time.

**Point 2: Valuation Anomalies** - The CLT raised an anomaly within the figures between the valuation and the lead report. 5403sqft to 7109sqft.

**Response:** The error is on ADOBE Page 51 in blue below 22906 should be 21200. When calculating the valuer had 22906 instead of 21200. This is a typo. The figures on page 16 are the correct 7109sqft.

<b>Development Proposal and Accommodation:</b>	<p>The proposal is to construct 30 residential units, with a mix of housing styles and sizes, please see Appendix 2 spreadsheet for assumptions on house types and accommodation schedule.</p> <p>The proposal is for 21 open market dwellings, and 9 social dwellings, with a mix of tenures, the proposal is for a compliant scheme with 30% affordable housing provision, providing 9 affordable units and 21 open market units.</p> <p>Total square footage to be circa 28,309 sqft of which 22,906 sqft is open market.</p>
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Land Appraisal For:	St. Martin Close (East), Handcross		
	Sqft	GDV	Costs
Market	21,200	£8,440,000	
Affordable	7,109	£1,830,000	
	28,309	£10,270,000	£9,026,272
Sales Costs Market	4%		£337,600
Sales Costs Affordable	1%		£18,300
Developer Margin	20%		£2,054,000
Land			£1,184,503
SDLT	5%		£59,225
Developer Legal Costs			£15,000
Seller's Legals			£10,000
Affordable Housing Legal Costs			£12,000
Finance Costs			£60,000
Build Cost (£/Sqft)	£205		£5,803,345
Contingency	5%		£290,167
Possible e/o Piling as Clay v. probable			£300,000
Planning Application Costs			£100,000
LPA Application Fees			£13,860
LPA Section 106 Legals			£6,000
Developer Section 106 Legals			£6,000

The difference in the offer figure is economy of scale, shared infrastructure to the site so highways, drainage etc. This difference needs to be included in the report with supporting narrative to substantiate the offer proposed. This is currently with the consultant to correct.

**Point 3: Affordable Units Valuation** The CLT also raised a point surrounding the affordable units under valuation. The LPA planning policy requires 30% affordable so 9 units. However, the square footage of the units is only 19% of the square footage of the total development, the units are going to be tiny. They believe in the interest of maximizing proceeds the affordable unit sizes have been kept to minimum. They believe that the S106 coming from Pease Pottage to the Council that could be used to fund future infrastructure needed, so what is it the pressing need for the £1.8m that outweighs the argument for using some of the proceeds to be more generous with the affordable housing given that this is a unique opportunity that will not happen again. They believe the Council need to have a clear view on what it is they want the money for over the provision of larger affordable houses.

**Response:** The under valuation has been explained. The LPA does require a policy compliant scheme. Homes will be built to local and national standard. This will be applied to whomever develops the site. This is the guidance that the Council have received.

**Point 4:** Why does the Council need the capital receipt and where will the money be spent especially when there are s106 monies coming forward from Woodgate.

**Response:** There are no proceeds coming from the strategic allocation in Pease Pottage. The s106 contributions have been absorbed within the development and immediate infrastructure to support it.

The Council throughout the consultation stages of the neighbourhood planning process and before the Localism Act 2011 were working with numerous committees on the re-provision of the Parish Hall and how this can be achieved.

**Questions from Council - Housing in perpetuity** – The CLT/AiRs claim that the CLT and their RP/HA will be exempt for the right to buy etc that these rules can be applied. **Can they provide the evidence to substantiate the claim?**

The CLT through their HA produce a tangible clarification surrounding the delivery of housing in perpetuity. The CLT to enlist this assistance of AiRs and advise.

## 7.2. **Other Comments 20<sup>th</sup> February 2023**

Email - Object to the sale of the land (St Martins Close East) to Millwood Designer Homes.

**Q:** If the land is sold will lodge an enforcement notice on the covenant on the north side of the land as it would be an adverse impact of our amenity.

**A:** If you own the benefit of a restrictive covenant, **then you can bring legal action yourself to enforce it.** We do not believe that this individual has benefit over the land.

## 7.3. **Correspondence received – Committee to approve response CLT010323LD – see item 6 - APPROVED**

## 8. **Members to consider next steps:**

The CLT as set out in their letter dated the 21<sup>st</sup> February 2023 acknowledges that Millwood is the only realistic developer and are not challenging the report. Council through negotiations will use their influence where possible to seek the involvement of the Community Land Trust.

- Cllr Eric proposed that the Recommend the report to progress to the next stages Millwood at the next convenient meeting following further work in relation to discussions with Millwood with regards to:
  - Contract of sale that CLT acquire the affordable in perpetuity how would that work detail
- Eric/Sally meeting with MSDC
- Independent evaluation

9. **Members to consider communications strategy:**

10. **Matters for future consideration:**

11. **Date of the next meeting:**