

LONDON BOROUGH OF WALTHAM FOREST

Meeting	Head of Service Area Decision	Date	22 November 2017
Report Title	<b>Section 105 of Housing Act Statutory Consultation with secure council tenants of Sansom Road E11 and Acacia Road E11 about the demolition of the Sansom Road car park and former ball court amenity and construction of new homes</b>		
Head of Housing Development and Regeneration	Dale Walker, Head of Development and Regeneration, Families and Homes Directorate		
Report Author/ Contact details	Sonia Gibson, Development Officer, Families and Homes Directorate, Telephone: 0208 496 5548 Email: <a href="mailto:sonia.gibson@walthamforest.gov.uk">sonia.gibson@walthamforest.gov.uk</a>		
Wards affected	Cann Hall		
Public Access	OPEN		

**1. SUMMARY**

- 1.1. Under Section 105 of the Housing Act 1985 the Council has a legal obligation to consult its secure tenants on matters of housing management such as changes to the management, maintenance, improvement or demolition of houses let by them, or changes in the provision of amenities.
- 1.2. The consultation has been carried out because the Council is proposing to build new homes on sites with development potential; some of which may need to take into account affected surrounding areas of Council owned land. The decision to build new homes on the Sansom Road E11 car park site (site) forms part of the Council Home Building Programme, which has cabinet approval.
- 1.3. Our Section 105 consultation with the secure council tenants of Sansom Road E11 and Acacia Road E11 started on 4 September 2017. The deadline for the Council to receive comments was by 5pm on Monday 2 October 2017. All responses received in writing or by email during this period were considered. Other non-Section 105 concerns noted.
- 1.4. Arrangements for this consultation were as follows:
  - 1.4.1. A Notice was placed in Waltham Forest News and on the Council's website. Letters were sent to the secure council tenants setting out the proposals and providing drawings. Leaseholders, Residents and Businesses were also sent the letter and drawings for their information and feedback. The pack of information on this site was made available to view at Waltham Forest Housing, Cedar Wood House, 2d Fulbourne Road, Walthamstow E17 4GG.
  - 1.4.2. Secure tenants were given 28 days to make their views known to the Council via email or in writing. Tenants were advised that we would consider any representations made before making a final decision about the proposals.
  - 1.4.3. The 28 day consultation period concluded at 5pm on Monday 2 October 2017.

1.5. In addition to the Section 105 consultation, the Council invited secure council tenants, residents, leaseholders, businesses (residents) and SAMS TMO to a consultation event to ask for comments on the proposals. The event was held on Tuesday 12 September 2017 between 4pm-7pm at Leytonstone Fire Station (Community Room), 466 High Road, Leytonstone E11 3HN. Representatives from the Council and architects from NPS showed residents detailed site layout plans, drawings of the proposals and a display of what the new building would look like.

1.6. NPS have prepared a summary report of the feedback from the consultation event held on 12 September 2017. A meeting is being arranged for mid-December 2017 to show residents updated drawings of the proposals and the invite letter to residents will attach a copy of the summary report.

## 2. CONSULTATION AND RESPONSES

2.1 The following table provides details on who has been consulted, the number of tenants contacted (including leaseholders, businesses and residents), the number of responses received and a summary of those responses.

Section 105 of Housing Act Statutory Consultation with secure council tenants at:	Number of tenants contacted (including leaseholders, businesses and residents)	Number of responses received (in writing or via email)	Summary of responses	
Sansom Road E11 and Acacia Road E11	338	2 (tenants) 3 (leaseholders)	Concerns raised relating to Section 105 consultation (by secure council tenants):	
			Other concerns raised by residents:	Our comments/ feedback:
			(a) Height of the new build. (b) Loss of light to existing properties. (c) Will the possible sycamore tree on railway property need to be removed as concern about its loss? (d) Estate will be overcrowded by building more homes. (e) The Council should reconsider proposals, which are unwelcome, unwise and entirely unsupportable. (f) Proposals provide no facilities (communal nor recreational). (g) New homes, more residents and more vehicles. (h) Loss of car park. Resident parking provision.	Part of planning process.

			<p>(i) Could the new build have an underground car park?</p> <p>(j) Will Council be providing replacement car park?</p> <p>(k) No replacement car park will mean current estate residents becoming unemployed and new residents will suffer equal misery.</p>	<p>No; as not viable for this development.</p>
			<p>(l) New residents will mean more ASB on the estate.</p>	<p>The Council monitors ASB on its' estates, if any issues arise, the Council will take action to resolve.</p>

2.2 The Council acknowledged and noted all responses received in writing or by email between Monday 4 September 2017 and 2 October 2017.

### 3. CONSIDERATIONS

3.1. At the end of the 28 day consultation period, all the representations made were considered and discussed in relation to the proposals for this site. These discussions involved staff from Strategic Housing and Investment, the architects and other site specific and/or related key stakeholders.

### 4. DECISIONS AND RECOMMENDATIONS

4.1 Once the Section 105 of the Housing Act 1985 consultation with secure tenants is carried out and responses considered, the Council has undertaken its statutory duty. It is then up to the Council to make the decisions on whether or not to proceed with the proposals or proceed with an alteration to the proposals.

4.2 The following points form a basis for the Council's decisions to proceed with proposals:

- Cabinet approval 24 May 2016: Council Homebuilding Programme update.
- One of the Council's key priorities for 2015-18 is supporting and providing more affordable housing.
- The land is owned by the Council and this site has potential to be developed to provide new homes.
- Some sites attract anti-social behaviour and we believe providing new homes will help to reduce this.

4.3 Having considered all the feedback received, the Council's decisions and recommendations are as follows:

- Demolition of the Sansom Road E11 car park and former ball court amenity for a site development proposal to build new homes at Sansom Road E11.
- Notice to quit will be served on those renting a parking space under the terms and conditions of the parking space licence agreement, if planning or pre-planning consent to demolish the car park is obtained.
- As development proposals progress, there may be revisions to the proposed design drawings, including a possible reduction in the height of the building and a reduction in the number of units from the 31 currently being proposed.

- The latest drawings of the development proposals will form part of the planning application submission.
- The proposed development will involve temporary and permanent refuse arrangement changes.

The Council is not required to address the non-Section 105 concerns within this report that have been raised by residents. The concerns have been noted and those that relate to planning matters will be picked up as part of the planning application process. As part of this process, residents will have a further opportunity to comment.

4.4 In addition to the point raised in 4.3, the related surveys and proposed development works will involve:

- Temporary disturbance for the residents around the Sansom Road and Acacia Road estate.
- Locating a contractor's compound and office next to the site within our Sansom Road and Acacia Road estate grounds.

4.5 A meeting is being arranged for mid-December 2017 to show residents updated drawings of the proposals.

## 5. WAY FORWARD

5.1 The Council has concluded the Section 105 process and will write to secure tenants to advise them of the Council's proposed decisions. This letter will also be sent to leaseholders, businesses and residents for their information too.

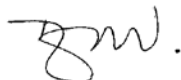
5.2 The same letter as mentioned in 5.1 above will invite residents to a meeting in mid-December 2017 to show residents updated drawings of the proposals. The invite letter to residents will attach a copy of NPS's summary report of the feedback from residents who attended the consultation event held on 12 September 2017.

5.3 The Council will liaise with the leaseholder(s), businesses and those renting a parking space on site specific matters that may affect them. However, the concerns that have been noted that relate to planning matters fall within the Local Authority Planning process.

### Approval by Head of Service Area

Print Name: **Dale Walker – Head of Development and Regeneration**

Sign:



Date: 27/11/17