



## **North Devon Council**

Report Date: Monday, 4 November 2024

Topic: Seven Brethren: Land Release Fund Project - An update

Report by: SarahJane Mackenzie-Shapland, Head of Place, Property and Regeneration

### **1. INTRODUCTION**

- 1.1. In November 2017 North Devon Council (NDC) were awarded £2.2 million of Land Release Fund to help bring forward residential development at Seven Brethren. This fund is a government initiative to assist in unlocking public sector sites and accelerating the delivery of housing.
- 1.2. Hybrid planning permission for the provision of a replacement long stay car park and temporary toleration site (detailed) and for 180 dwellings together with all associated infrastructure (outline) was granted on the 15<sup>th</sup> November 2022.
- 1.3. On the 7<sup>th</sup> December 2022 NDC entered into a Development Agreement with Tarka Living Ltd to deliver both the enabling works and the delivery of between 175 and 180 homes.
- 1.4. In July 2023 Members considered an update report which included a resolution to enable a license to be entered into with Barnstaple Town Council related to the Fair, a contract for the delivery of the new long stay car park and a second lease to be entered into related to land at Seven Brethren Bank.

### **2. RECOMMENDATIONS**

- 2.1. This is a report for Members to note the progress on this project. The report will be presented alongside our delivery partner; Tarka Living Limited.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1. To ensure Members are updated on progress with this project.

### **4. REPORT**

- 4.1. On the 7<sup>th</sup> December 2022, NDC entered into a Development Agreement with Tarka Living Ltd to deliver both the enabling works and the delivery of between 175 and 180 homes on land at Seven Brethren, Barnstaple. The enabling works are defined in the development agreement as the provision of a new long stay car park, demolition of the old leisure centre and the flood defence works.
- 4.2. A hybrid planning permission to include full planning permission for the car park was granted in November 2022. Subsequently Tarka Living Ltd submitted a reserved matters application for the erection of 180 dwellings. This was approved on the 8<sup>th</sup> March 2024.

- 4.3. Tarka Living Ltd appointed Wrings Group Ltd to demolish the old leisure centre and Members will be aware that these works have been completed.
- 4.4. In June 2024, following their appointment, S.E.L Clarke Contractors Ltd. started work on the provision of a new long stay car park adjacent the Artificial Grass Pitches on Seven brethren. This car park replaces the existing long stay car park on Seven Brethren and spaces are provided on a like for like basis. Work is progressing well and the latest Programme indicates that work will be completed on site on the 22<sup>nd</sup> November 2024.
- 4.5. The new car park will also provide the long term solution for the Barnstaple Fair and officers have been working closely with the Showman's guild and Barnstaple Town Council to best accommodate their needs and to ensure that the Fairs in 2023 and 2024 were appropriately accommodated whilst works were ongoing.
- 4.6. Clarke Bond have been appointed by the Council as clerk of works for the car park, to report on the quality of the works ahead of release of land release payments to Tarka Living Ltd.
- 4.7. Upon practical completion of the car park (which includes a temporary site for gypsy and travellers) the second lease at Seven Brethren bank can be entered into. There is a 20 day period allowed for in the Development Agreement for this work to be completed and assuming practical completion of the car park works is the 22<sup>nd</sup> November then the completion date for the second lease is the 20<sup>th</sup> December 2024. The second lease comprises; the Tarka overflow car park, existing gypsy and traveller site and the events area/long stay car park on Seven Brethren.
- 4.8. Alongside the works to the car park, as part of the Development Agreement Tarka Living Limited have been progressing the detailed design of the flood defence works for this site. These works are currently being finalised and will include a flood defence wall and embankment along the boundary of the site with the river. These works are based on the planning permission secured for the flood defences to support the Anchorwood development and would have been required regardless of whether residential development came forward on Seven Brethren.
- 4.9. Officers are currently working with Tarka Living Limited to finalise the phasing for this project (which includes 4 phases) but the first phase of residential development will be on the existing overflow car park at Tarka and the existing gypsy and traveller site. The programme is also being finalised but residential development will commence in 2025. The first phase of housing will include a significant proportion of affordable housing. The whole scheme includes 30% affordable housing; of which 70% is social rented and 30% is intermediate housing. A contract with a registered provider to deliver these units on this site is being finalised.
- 4.10. The Development Agreement currently states that the freehold transfer of a phase will occur when the last dwelling within a given phase reaches

golden brick. Officers have been requested by Tarka Living Limited to consider releasing the freehold at sub-phases and this is currently being reviewed.

4.11. Tarka Living Limited are also currently in discussions with Devon County Council related to road adoption and specifically the area adjacent the existing traveller site, they are working with the Environment Agency on finalising details related to flood defences and working on a footpath diversion order related to the Public Right of Way across the site.

4.12. The actions outlined in para 4.11 above are required ahead of the Target House Build Commencement date. Officers are currently working with Tarka Living Limited to confirm this date.

4.13. The Programme is currently showing the Target House Build Completion Date as May 2028.

## 5. RESOURCE IMPLICATIONS

5.1. The project team includes officers from the Programme Management Office, Place, Property and Regeneration, Finance and Legal to continue to see this project to fruition.

5.2. The existing capital programme includes the approved budgets for the Land Release Fund and Flood Defence payments associated with the above mentioned Development Agreement.

## 6. EQUALITIES ASSESSMENT

6.1. An Equality Impact Assessment (EIA) has been completed for this project.

## 7. ENVIRONMENTAL ASSESSMENT

7.1. This project predates this requirement but does have environmental implications which have been taken into account both throughout the project, the procurement of a delivery partner and through the planning process, which included the submission of an Environmental Impact Assessment carried out by RMA Environmental.

## 8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: The project has generated a small net capital receipt but also incorporates the demolition of the old leisure centre, builds the flood defences and provides a new, purpose built car park; all of which would have been a significant cost to the Council. The Council will also benefit from ongoing taxation income from the growth in residential properties on the site.



8.1.2. Improving customer focus – this regeneration project will benefit the area for our communities.

8.1.3. Regeneration or economic development – this scheme will enhance this river front location.

## 9. CONSTITUTIONAL CONTEXT

9.1 Part 3 Annexe 1 paragraph 1

## 10. STATEMENT OF CONFIDENTIALITY

10.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

11.1 The following background papers were used in the preparation of this report:

- One Public Estate Phase 6 – Devon and Torbay OPE Partnership – OPE and LRF Project Templates.
- Planning application documents
- Development Agreement and associated legal agreements

(The background papers are available for inspection and kept by the author of the report).

## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: SarahJane Mackenzie-Shapland; Head of Place, Property and Regeneration