

Meeting: Cabinet

Date: 23 March 2021

Wards Affected: Tormohun

Report Title: Redevelopment of 12-14 Strand (former Debenhams building).

When does the decision need to be implemented? Immediately

Cabinet Member Contact Details: Councillor Swithin Long, Cabinet Member Economic Regeneration, Tourism and Housing

Director/Assistant Director Contact Details: Liam Montgomery, Director of Asset Management, Investment & Housing, 07842838512, liam.montgomery@tda.uk.net

1. Purpose of Report

1.1 In April 2020 the Council acquired the Debenhams buildings at 10-10A and 12-14 Strand, Torquay (consisting of two separate buildings). The larger building at 12 – 14 Strand consists of 31,321 sq ft. over 4 floors. The smaller building at 10 - 10A Strand totals 4,615 sq. ft. over 3 floors.

The purpose of the report is to seek authority to refine the focus of any redevelopment plan and planning permission to purely the land owned by the Council rather than the wider Strand.



The two redlines represent the location of each of the two buildings. The proposals relate to the progress with a planning application for the more Southerly site being located on the right hand side of the photo below.



2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

2.1 The proposals in this report help us to deliver this ambition by providing economic and housing growth whilst minimising climate change.

The original request by Cabinet was to look at the possible wider land assembly along the Strand so that a more comprehensive redevelopment could be considered.

Investigations and negotiations with neighbouring properties has taken place and while a number are prepared to consider disposing of their properties a value that supported the viable wider redevelopment could not be agreed.

Originally, the current tenant (Debenhams) had security of tenure until January 2022 although recent events has meant that Debenhams will be vacating all of their stores well in advance of that date.

It is for these reasons that the revised proposal is to submit a planning application for the larger of the two buildings to demolish and rebuild a mixed use development. The proposals will not include the smaller building at this time but will be designed in a way that allows further regeneration along the Strand in the future.

With the tenant going and discussions with neighbouring land owners progressing but at a slow pace, the proposal is to focus on submitting a planning application solely for 12-14 Strand which would not be held up by discussions with adjacent land owners. It is anticipated that this application could be submitted during summer 2021.

Redevelopment of 10-10a or 12-14 The Strand as a standalone scheme may result in interference with rights or easements currently enjoyed by neighbouring landowners or occupiers, such as the right to light, or contractual restrictions. In order to avoid the threat of an injunction which could hinder redevelopment proposals, the Council can use its powers under s.203 of the Housing and Planning Act 2016 ('HPA 2016') to override third party rights. Such a power must be used with caution and as a last resort; rights should be interfered with only if absolutely necessary. Compensation will be payable to those whose rights are interfered with.

The replacement of the existing soon to be empty building with a mixed use development will benefit economic and housing growth. Good quality homes will be delivered above ground floor levels. Employment opportunities will be provided through the provision of new food retail and commercial floor space at ground floor level once the development is completed. Employment opportunities will also exist through the delivery of the design and construction. Such development will rejuvenate this part of Torquay and compliment the Town Deal projects.

The replacement building will tackle climate change by being more energy efficient than the existing building as a result of current building regulations.

3. Recommendation(s) / Proposed Decision

- (i) That Cabinet authorise the approach to redeveloping the Strand by focussing on 12-14 Strand and in line with the previous decision fund the works required to obtain a planning permission from the Fleet Walk surplus.
Funding to be from a reserve created from the fleet walk surplus from 2019/20 earmarked for regeneration.

Appendices

There are no appendices.

Supporting Information

1. Introduction

- 1.1 Currently Debenhams have ceased trading from the building due to the latest lockdown. Furthermore it is expected that Debenhams will be handing the premises back to the Council prior to April 2021.
- 1.2 This would leave the Council with an empty property in a strategically important location whilst still being responsible for all associated holding costs.
- 1.3 Planning permission for a mixed used development would help rejuvenate this part of Torquay alongside the Strand Public Realm improvements, increase footfall into the town centre and provide a more attractive commercial floor area to rent.

2. Options under consideration

2.1 Landowners have been approached for the whole run of the Strand from numbers 12-14 (the larger of the two Debenhams buildings) up to but not including the listed building at 8 Strand being a former bank. Discussions have been held with the owner's agent for 9 Strand (former Boots building), direct discussions with the owner of 11 Strand (currently Jane's clothes shop) and direct discussions with the owners of a block of 3 apartments being 55, 57 & 59 The Terrace. Discussions have not been a quick process. The majority of landowners in principle are open to selling. However, there is a lack of agreement in terms of valuation.

Should the land ownership of a whole run of the Strand be achieved, a more comprehensive redevelopment could in theory be carried out. This could potentially have a more beneficial impact on this part of Torquay by providing more commercial units and housing growth.

This alternative larger scheme is currently prohibitive and the concern is that continuing with the process will delay the development of the Debenhams site that is about to be vacated and progress could be made.

A pre-application enquiry has been carried out with the planning department. In summary support in principle is given for a redevelopment of Debenhams.

3. Financial Opportunities and Implications

3.1 In order to proceed with a planning application the expenditure is required to produce all of the information required for a planning application to be determined. This covers the cost of report/documents, various surveys and assessments, consultants such as the architect and engineer and the fee for planning submission.

3.2 Compensation may be payable to third-parties whose rights (e.g. the right to light) are interfered with as a result of the development.

4. Legal Implications

4.1 There is a risk of judicial review if s.203 HPA 2016 (power to override rights and easements) is not used properly.

5. Engagement and Consultation

5.1 Consultation will be carried out with the neighbourhood planning forum along with the standard consultation that takes place as part of the planning process.

6. Purchasing or Hiring of Goods and/or Services

6.1 The proposal will involve the procurement of services. Local companies will be invited to provide quotes and the Council's financial regulations will be adhered to.

7. Tackling Climate Change

7.1 The site is located within a sustainable town centre location where public transport via a comprehensive bus service is available together with good pedestrian connectivity to the surrounding area.

A replacement building, constructed in line with the latest building regulations will provide a more energy efficient building than compared to the older existing structure.

There will also be opportunities to make the site more flood resilient as a result of a Flood Risk Assessment.

8. Associated Risks

8.1 The Council could be left with an empty building which undermines the vibrancy/character of the town centre and does not generate an income if design team work does not progress.

There is cost associated with obtaining a planning permission. Such a planning consent will usually add value to a site. However, the majority of costs associated with the proposal will be linked to the construction of any proposal and progressing with this stage of the project will be subject to a further detailed business case and Cabinet decision.

Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups		
	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The commercial element of the proposed development would provide employment for all ages. The proposed housing would be capable of housing younger or older people.		
People with caring Responsibilities			There is no differential impact.
People with a disability	The mixed use development will be designed to currently building regulations that are inclusive of people with a disability.		
Women or men			There is no differential impact.
People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact.
Religion or belief (including lack of belief)			There is no differential impact.
People who are lesbian, gay or bisexual			There is no differential impact.
People who are transgendered			There is no differential impact.

	People who are in a marriage or civil partnership		There is no differential impact.
	Women who are pregnant / on maternity leave		There is no differential impact.
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	The proposals are likely to have a positive economic impact through the provision of jobs and increased housing growth/delivery within Torbay.	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		There is no differential impact.
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)		
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)		