

<b>Cabinet</b>  15 December 2021	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Ann Sutcliffe Corporate Director of Place	<b>Classification:</b> Partly Exempt (Appendix 2)
<b>Disposal of Bromley Hall School and adjacent land to Poplar HARCA</b>	

<b>Lead Member</b>	<b>Councillor Bustin, Cabinet Member for Social Inclusion – (Job Share post as part of Social Inclusion and Public Realm portfolio)</b>
<b>Originating Officers</b>	Thomas Parsonage – Interim Asset Manager Stephen Shapiro – Head of Asset Management
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	No
<b>Forward Plan Notice Published</b>	5 October 2021
<b>Reason for Key Decision</b>	This report has been reviewed as not meeting the Key Decision criteria.
<b>Strategic Plan Priority / Outcome</b>	<b>Priority 2 - A borough that our residents are proud of and love to live in</b>

### Executive Summary

Bromley Hall School is a derelict Grade II listed building designed by Bob Giles of the LCC and constructed in 1968 to cater for specific needs of children with physical disabilities. The site is located between the A12 and the River Lea surrounded by Bromley Hall Road to the west, Lochnagar Street to the north and Leven Road to the south.

This report seeks to gain authority to dispose of Bromley Hall School and adjacent surplus land.

In the first instance it is proposed to enter into an exclusive dialogue with Poplar HARCA (disposal plan Appendix 1) who intend to incorporate Bromley Hall School into their wider development as part of the Lochnagar Scheme and provide a mixed-use development consisting of commercial and residential elements which include affordable housing. It is understood this will assist with their wider scheme and facilitate the other developments. Should discussions stall then it is proposed to market the site with an external agent and dispose after a full marketing campaign, which Poplar HARCA can participate in.

## **Recommendations:**

The Cabinet is recommended to:

1. Provide authority to dispose of the vacant Bromley Hall School and land adjacent on a freehold or long leasehold basis.
2. Authorise the Corporate Director, Place to enter into a direct negotiation with Poplar HARCA.
3. If an acceptable proposal cannot be agreed with Poplar HARCA, or the discussions are becoming protracted, to authorise the Corporate Director, Place to market the site and dispose on the open market.
4. Note the Equalities Impact Assessment.

## **1 REASONS FOR THE DECISIONS**

- 1.1 The school has not been used for any purpose for over 10 years and is deteriorating as well as becoming a potential site for Anti-Social Behaviour (ASB), therefore the site should be held surplus and disposed to benefit from a capital receipt.
- 1.2 24-hour manned security is currently carried out on a daily basis to ensure there are no anti-social behaviour activities associated with the site. Security costs are currently £130,000 pa. The cost of managing and maintaining the site is draining resources as the building continues to deteriorate and become more of a health and safety concern.
- 1.3 An application in 2016 was consented for reuse of the building as a 2 FE Primary school and associated nursery. This included demolition of the 1970's extension to the school and construction of a new one storey building on the land east of the school previously used as a playground. Land north of the school was proposed as the new playground. Works began in 2017 but were halted during strip out due to changing demand for the school. The building has been left vacant ever since.
- 1.4 Reasons to declare the site surplus and market are due to the cost of maintaining a dilapidated building and the health and safety issues posed. Limited funding for the redevelopment of the site and planning constraints in the area due to the Grade II listed status of the building which reduces the Council's ability to redevelop the site independently.
- 1.5 When the adjacent vacant site is disposed of the buyer will re-develop the site into commercial, residential, or potentially mixed-use accommodation. This will provide new homes for the Borough and employment space.

## **2 ALTERNATIVE OPTIONS**

- 2.1 Leave the site vacant and unused for the foreseeable future. The vacant

site results in annual security costs of £130,000 and will continue to require more funding for maintenance of the listed building and surrounding boundary walls.

### **3 DETAILS OF THE REPORT**

- 3.1 Bromley Hall School is a derelict Grade II listed building which was designed by Bob Giles of the LCC and constructed in 1968 to cater for specific needs of children with physical disabilities. The site is located between the A12 and the River Lea surrounded by Bromley Hall Road to the west, Lochnagar Street to the north and Leven Road to the south. It was completed in 1968 to cater for the specific needs of children with physical disabilities. The school is a single storey building with cellular plan of small classroom spaces alternating with enclosed courtyards surrounded by a tall boundary wall designed to create child scaled interior spaces protected from the surroundings.
- 3.2 The existing building is in very poor condition and has been stripped out with only the structural walls, roof timber frame and ground slab retained. There are currently no M&E supplies or fittings or fixtures internally to the building and there has been significant growth of vegetation. Strip out was conducted in 2016 associated with plans to bring the school back into use as a primary school. Works were halted during strip out due to concerns about the poor air quality and appropriateness of a school as well as less demand for school places. Updates to building surveys included in the technical pack provide more details on building condition.
- 3.3 This report seeks to gain authority to dispose of Bromley Hall School and adjacent surplus land on a combined basis. In the first instance, to assist with the wider Abedfeldy redevelopment whereby they it is proposed treating directly with Poplar HARCA (disposal plan Appendix 1) who intend to incorporate Bromley Hall School into their wider development as part of the Lochnagar Scheme and provide a mixed use scheme consisting of commercial and residential elements including affordable housing.
- 3.4 The AM Team will be monitoring the progress of this transaction against a typical timeline for a transaction of this complexity. Should discussions stall or not proceed swiftly enough then authority is sought to formally market the site and dispose on the open market.
- 3.5 The building was Grade II listed by Historic England in 2012 in recognition of its special interest. An application in 2016 (PA/16/00884) was consented for reuse of the building as a 2 FE Primary school and associated nursery. This included demolition of the 1970's extension to the school and a new one storey building on the land east of the school previously used as a playground. Land north of the school was proposed as the new playground. Works began in 2017 but were halted during rip out due to changing demand for the school.
- 3.6 A planning application for the school building and adjacent land will need to be accompanied by a detailed heritage statement to assess the significance

of the building and potential impacts of any interventions or development. This should particularly focus on the condition of the building and impacts on the setting of the building.

It will be understood by applicants that the above requirements are an onerous obligation on the purchaser but are a pre-requisite to secure the adjacent land.

#### **4 EQUALITIES IMPLICATIONS**

- 4.1 To note that the Bromley Hall School was formerly used to cater for the needs of the physically disabled.
- 4.2 To note that due to the pollution from the A12 the site was deemed no longer suitable for education purposes, and as a result it is beyond the time frame required to seek S.77 Consent
- 4.3 Obligation to be put on purchaser to provide an element of affordable housing on the site.

#### **5 OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
  - Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
  - Data Protection / Privacy Impact Assessment.

- 5.2 No other statutory implications have been identified.

#### **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 The Council are seeking approval to dispose of the Bromley Hall school site and adjacent land and to enter into direct negotiations with Poplar Harca who are seeking to acquire it as part of their Lochnagar development.
- 6.2 The Council should seek to receive market value from the disposal of this site and if negotiations with Poplar Harca do not result in an acceptable sale price then the site should be disposed of on the open market.
- 6.3 The sale of the site will provide the Council with a capital receipt which will be available for use to support capital spending priorities in line with the Council's capital governance processes.

- 6.4 The Council is currently incurring revenue costs totalling £130k relating to the site for the provision of 24-hour security and maintenance of the building. There is no budgetary provision for these costs which are a pressure on the revenue budgets. These costs are likely to increase if the building remains derelict and its condition declines.

## **7 COMMENTS OF LEGAL SERVICES**

- 7.1 Any disposal of the site will be subject to the provisions of S.123 of the Local Government Act 1972 which requires Best Consideration to be received subject to certain exceptions or consent
- 7.2 Consent is normally required for the disposal of land formally used for school playing fields but, in this case, it is considered not to be required by virtue of the reasons set out in the report.

### **Linked Report**

- None.

### **Appendices**

- Appendix 1 – Site Plan
- Appendix 2 – Planning Brief (Restricted under Ground 3)

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- None.

### **Officer contact details for documents:**

N/A