



TENDER SALES PACK

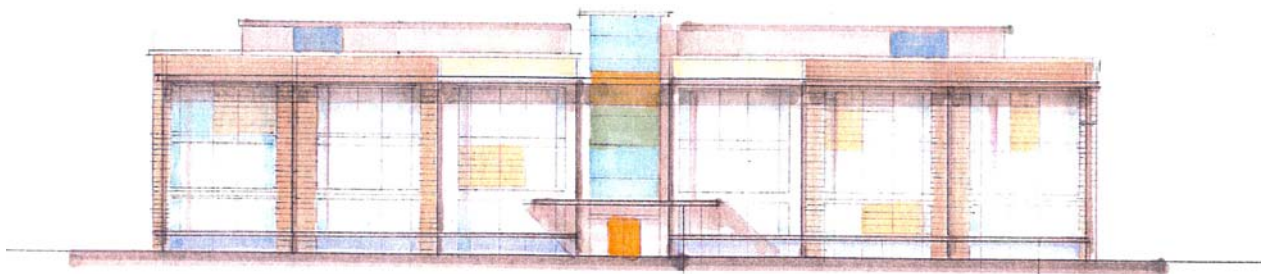
**ODEON CINEMA
166 LONDON ROAD
ST. ALBANS
AL1 1PQ**

SOLD BY

Wattsdown Limited

**JOINT AGENTS
HALLS CHARTERED SURVEYORS &
MOULT WALKER CHARTERED SURVEYORS**

DECEMBER 2008



1. INTRODUCTION

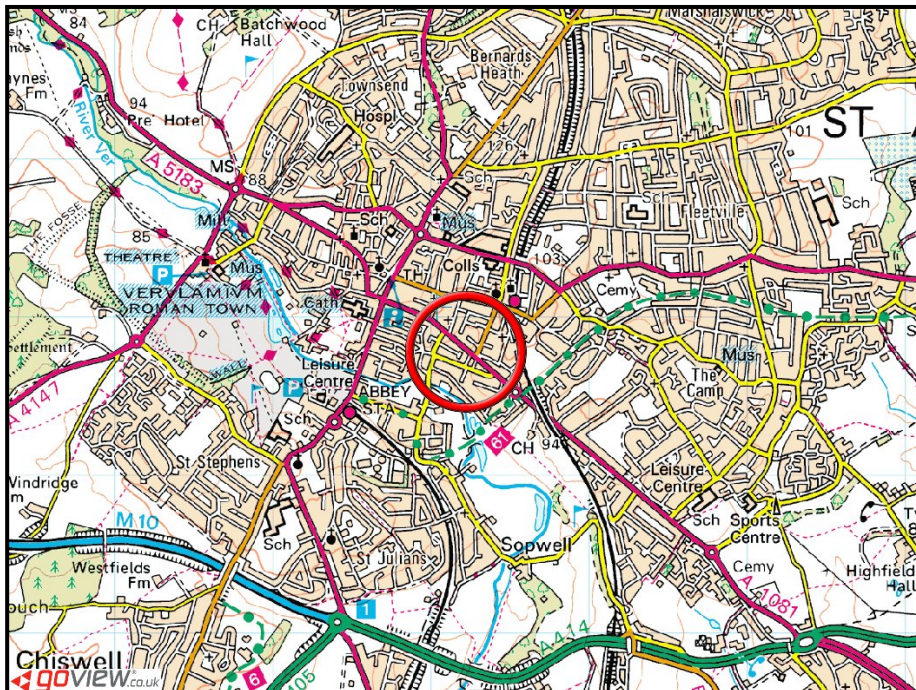
- 1.1 Moulton Walker and Halls are jointly instructed by Wattsdown Limited to market the landmark development opportunity of the former Odeon cinema at 166 London Road, St. Albans, Hertfordshire, AL1 1PQ.
- 1.2 This Sales Document sets out a description of the site, relevant background information, planning details, development potential and the method of disposal.
- 1.3 Residential developers and other interested parties are invited to submit their offers based on this informal Tender Document by noon on Friday 23rd January 2009.
- 1.4 Offers are to be submitted direct to Wattsdown Limited in accordance with the details contained within these tender particulars. Offers submitted in any other way will not be considered.
- 1.5 It is anticipated that the selection of a preferred party should take place within two weeks thereafter (including possible interviews of short listed parties); the final decision and exchange of unconditional contracts by the vendor is anticipated by 13th February 2009. Contract completion is required by 27th February 2009.
- 1.6 The development site has the benefit of planning permission for fourteen luxury flats together with 23 basement parking spaces. This prominent site is situated on the south side of London Road in the centre of St. Albans, a short distance from the main shopping core and railway station.

2. LOCATION

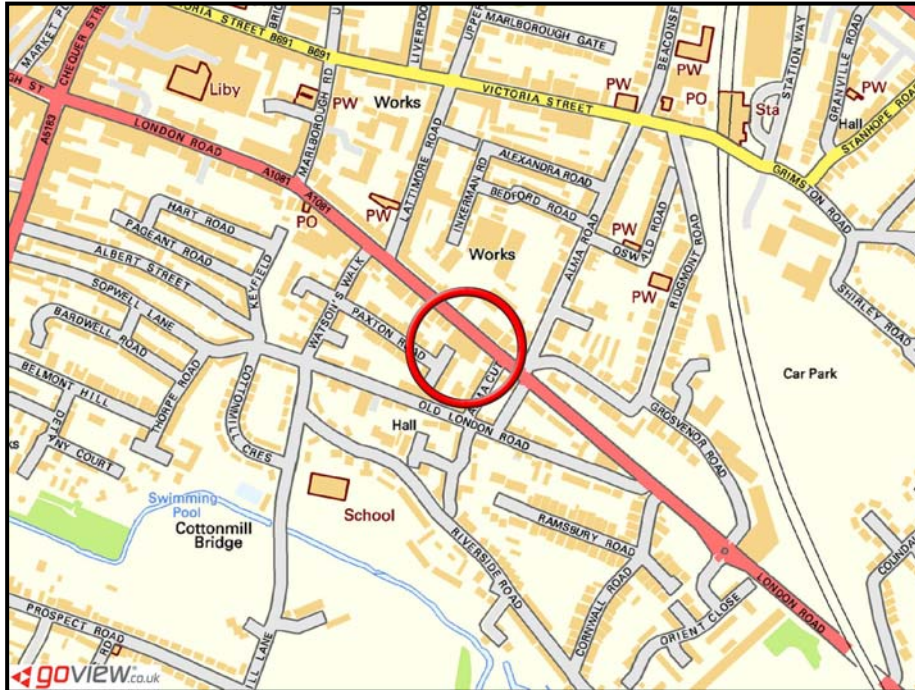
- 2.1 St. Albans is Hertfordshire's oldest town, first built as Verulamium by the Romans, then renamed St. Albans after the first British Christian martyr. Today, this modern city has been shaped by over 2,000 years of occupation and activity and the Roman heritage and imposing cathedral attract many visitors throughout the year.



- 2.2 St. Albans offers excellent shopping, a range of evening entertainment, an annual events programme, and a multitude of pubs and restaurants as well as many hotels and guesthouses. Within easy access from the motorway network and just half an hour from London.
- 2.3 The development site is located to the south east of the city centre on the south side of London Road, a main highway leading to and from the city centre. Whilst London Road is a city thoroughfare of mixed uses (including various 19th century terraced former houses with flats above offices and shops and purpose built apartments), the site backs onto a secluded residential enclave (Lower Paxton Road).



- 2.4 London Road is one of the busier thoroughfares in St Albans and is equidistant (0.5 km) from both the railway station and the city centre. London Road is also a main bus route for the 84, 304, 357 and 602 buses.



- 2.5 St Albans benefits from two rail stations; City and Abbey stations and the rapid Thameslink journey to London has meant the city has thrived as a popular commuting location for London workers becoming an affluent, attractive and desirable place to live.
- 2.6 St Albans City Station is operated by First Capital Connect with the Thameslink service (Bedford to Brighton) to both London St Pancras station (27 minutes) and London Blackfriars (37 minutes).
- 2.7 St Albans Abbey Station is operated by London Midland and provides a rail service to Watford Junction.

3. DESCRIPTION

- 3.1 The development site currently is a vacant and derelict cinema which has stood on the majority of the site since 1931. This art deco style building originally had a richly decorated interior, but much of the original fittings were replaced with Odeon fittings in 1945, and then extensively reconfigured into a multi-screen building in the circa 1980s.
- 3.2 The cinema was a purpose built cinema (one of several in St Albans) and one of the last to remain open until its closure in 1995 owing to competition for large, modern, multi-screen complexes in nearby Hatfield and Hemel Hempstead. The existing cinema was also blighted by its dated design which could not be feasibly adapted to suit current requirements and standards.
- 3.3 The setting of the site is best described as follows:
- To the north – Mixed use residential, commercial, office, restaurant and petrol station – a substantial part of which are subject to ongoing redevelopment proposals.
 - To the east – Public house and residential property.
 - To the south – Residential property and (being in an elevated position) views across the south side of St Albans
 - To the west – Mixed use retail, residential and restaurants.
- 3.4 The Ordnance Survey 1:1250 plan extract shows the approximate extent of the site. The approximate gross site area is understood to be 0.11 hectares (0.27 acres).





3.6 Adjacent to the western boundary of the site there are steps leading from London Road to Lower Paxton Road. These steps are not within the ownership of the site and are understood to be adopted public highway. To the rear of the building, the site abuts Lower Paxton Road providing vehicular access. A copy of the City Council's highway adoption plan confirms the extent of highway together with the defined public footpath number 86 along the steps.

3.7 The existing survey information is shown on the following Waterman Partnership drawings:

- 3.7.1 L/11159/D01 Existing building layout;
- 3.7.2 L/11159/D02 Existing survey information;
- 3.7.3 L/11159/D03 Existing survey information;

This survey information cannot be warranted and potential purchasers should not rely on this information.

3.8 Historic maps and evidence indicates that a previous cinema (the 1908 Alpha picture palace) was located on the eastern half of the site. This burnt down in 1927, the site was cleared and the current cinema built in 1931.

- 3.9 Previous intrusive ground investigations have been carried out by Stats Environmental in September 2000. The local geology in the area is Upper Chalk Formation and the area includes a major aquifer. The site investigations included two boreholes within the cinema site (to depths of 15 metres and 20 metres) together with two trial pits. This has revealed a concrete slab over made ground over Upper Chalk Formation. The latter chalk is classed as between very weak to moderately weak and clearly chalk dissolution features are a risk that the structural foundation design needs to cater for. The site is classed within a 'moderately high subsidence risk' category and purchasers should make a due allowance for this (in terms of piled foundations and not shallow foundations).
- 3.10 The Stats ground investigations did not include any contamination testing but highlights a possible risk of contaminants within the made ground (together with an internal fuel-oil tank within the basement). Purchasers should make an appropriate allowance for this.
- 3.11 The Stats information is provided in good faith but the contents of the Stats report cannot be warranted to a future purchaser.
- 3.12 The site is located outside of any designated floodplain as identified by the Environment Agency website. There is a drinking water source within St Albans (near Abbey Station), but this location is outside of the designated Inner and Outer Zones, but within the Zone 3 (Total Catchment) designated zone. Consequently, it is anticipated that the Environment Agency may seek approval of surface water drainage and any hardstanding drainage may require petrol interceptors etc. As above, the underlying geology is Upper Chalk and as a designated major aquifer will require protection against pollution.
- 3.13 For information only, the neighbouring public house 'the Great Northern' at 172 London Road is being marked by Drake & Company with offers invited in the region of £500,000.

4. DEVELOPMENT PROPOSAL

- 4.1 The existing cinema building is proposed for complete demolition (including the facade) and residential redevelopment with five floors of living accommodation (of which four floors are fronting London Road) to provide fourteen luxury flats above a basement car park as podium with vehicular access from Lower Paxton Road and pedestrian access from both sides.
- 4.2 The fourteen residential flats are arranged as 6 two-bed maisonettes, 6 two bed duplex apartments and 2 three-bed penthouses. The flats are ‘stacked’ as maisonettes and duplexes to overcome the earlier concerns of overlooking and overbearing on neighbouring houses in Paxton Road.
- 4.3 The building is arranged as six grid bays symmetrical on a central access stair. Maisonettes are accessed via the rear gardens, the upper floor duplex flats by a single corridor. The penthouse flats have direct access to the central lift and stair.
- 4.4 The proposed layout and elevations are shown on the following Briffa Phillips drawings:
- 4.4.1 1329/101 Proposed Site Layout – Car Park Floor Plan
 - 4.4.2 1329/103 Proposed Site Layout – Elevations & Sections
 - 4.4.3 1329/104 Proposed Site Layout – Lower Ground Floor Plan
 - 4.4.4 1329/105 Proposed Site Layout – Ground Floor Plan
 - 4.4.5 1329/106 Proposed Site Layout – First Floor Plan
 - 4.4.6 1329/107 Proposed Site Layout – Second Floor Plan
 - 4.4.7 1329/108 Proposed Site Layout – Third Floor Plan
 - 4.4.8 1329/109 Proposed Site Layout – Roof Plan
- 4.5 The existing cinema building has an almost 100% site coverage and the proposed basement will replicate this extent of built development. The accommodation above the basement is arranged on five floors and due to the level change is five storeys high to Lower Paxton Road and four storeys high to London Road.
- 4.6 The lower ground and ground living rooms have a southerly garden aspect and natural daylight via decorative pavement lights over the kitchen breakfast areas. These flat bedrooms look north.
- 4.7 The first and second floor duplex apartments have natural light over two floors looking north.
- 4.8 The penthouse apartments have a north east – north west aspect with a balcony feature to the south and positioned in the centre of the building with views of Paxton Road. The top floor apartments are set back from the main facade to replicate the art deco style of design from

the cinema.

- 4.9 The basement car park can accommodate 23 cars (which represents a ratio of just over 1.5 space per dwelling (based on the 14 flats).
- 4.10 The building materials are proposed to be brick and render elevations creating vertical portrait proportions. The building will feature modern glazed walling elements to the London Road frontage only. The glass entrance includes distinctive coloured glass to replicate the distinctive art deco use of glass in the existing Odeon cinema building.
- 4.11 The concept design seeks to match the context of both the London Road street scene and the residential enclave to the rear. The new building has an equal presence on the street scene as the existing, but in a different and interesting way. The row of columns supports a louvred canopy to maintain the building line, frame the elevations and provide a sense of privacy.
- 4.12 The new building main elevation is set back from the pavement by 3 metres to ensure a sense of privacy and natural daylight for the flats. The proportion of the new building creates a module to seek to replicate the large art deco rendered panels of the existing cinema.
- 4.13 A central entrance stair (accessed from London Road) rises above this line and is sited forward of the flats to create a visual presence on London Road. This entrance is capped with art deco style coloured glass and features a low level canopy.
- 4.14 The undercroft car park has direct interface with Lower Paxton Road and above this at first floor level the flats are situated on a podium amongst semi-private and semi-public landscaped space.
- 4.15 The scheme includes both defensive public landscaping, notably along London Road and the public steps, and also the gardens within and around the podium. The bulk of the site is south facing and the planting takes advantage of the aspect.
- 4.16 The gardens can be accessed by occupants of the lower duplex flats either directly for those at podium level or via the private garden entrance located next to the central stair and lift core.
- 4.17 The lift provides access for all residents from the basement to the top floor.
- 4.18 The scheme architects, Briffa Phillips, are a local St. Albans practice and have recently won a Civic Trust and RIBA award for work in the St Albans Conservation Area. Whilst Briffa Phillips' remit has been only to secure planning approval of the current design, Wattdown has no objection to any purchaser re-appointing Briffa Phillips for further detailed construction design work.

5 PLANNING POLICY

- 5.1 The current Development Plan comprises the East of England Plan (issued 12th May 2008), the Hertfordshire Structure Plan Review 1991-2011 (adopted in April 1998) and the St Albans City and District Local Plan adopted 30th November 1994 (the 'Local Plan'), which guides land use and development in the area and is used as a basis for many of the decisions taken by the District Council, particularly with regard to individual planning applications.
- 5.2 Although further to the Planning and Compulsory Purchase Act 2004, the Local Plan was due to automatically "expire" on 27th September 2007, this was "saved" by the Secretary of State's formal Direction. Effectively, this saves specified policies within the Local Plan which are still formally recognised as part of the development plan for St Albans. The policies listed in the List of Saved Policies are the remaining operational policies within the Local Plan after September 2007 and these saved policies remains the current development plan.
- 5.3 The East of England Plan and the Structure Plan both encourage and promote development in established urban locations.
- 5.4 Under the Local Plan saved policies, the site is unallocated for any proposed change of use or development. The site is located within a designated Conservation Area and as such development proposals should seek to retain the existing buildings and to preserve or enhance the character and appearance of the locality.
- 5.5 St Albans Council has no objection to the proposed residential use of the site and demolition of the building and planning permission for such development has been granted (reference section six below). This follows an earlier request for retention of the facade, but since the outcome of a public inquiry in 2005 and further appeal, demolition of the whole building is now established.
- 5.6 Notwithstanding the extant grant of planning permission, should any purchaser seek to amend the permission or submit a revised planning application, the various saved Local Plan policies should be taken into account.
- 5.7 St Albans Council's Local Development Framework is at an unadopted state but the Council accept the residential reuse of this site and it is included and identified within the Urban Capacity Study.
- 5.8 The site is located with the St Albans Conservation Area and is locally listed. As such development proposals should seek to retain the existing buildings and to preserve or enhance the character and appearance of the locality (reference Local Plan policies 85 and 87).
- 5.9 Whilst locally listed, the building is not Listed under the Planning Act and reference should be made to English Heritage's letter dated 3rd July 2008 which confirms that the Secretary of State has decided not to add the building to the list. This decision relates to the lack of exterior architectural quality and, whilst the interior was originally classic 1930's art deco style, this has been lost by successive internal remodelling and conversions.

6. PLANNING PERMISSION

6.1 There have been various planning applications for the demolition of the cinema and redevelopment of the site for housing. Whilst planning permission has now been granted, there is some history including planning refusals and two dismissed planning appeals. This planning history includes the following:

- 6.1.1 5/06/2193 Demolition of existing cinema and erection of twenty flats with associated parking and landscaping (resubmission following refusal of 5/05/0435).
Refused 12/12/06. Appeal ref.
APP/B1930/A/07/2034881 dismissed 12/06/07
- 6.1.2 5/06/2194CA Demolition of existing cinema and erection of twenty flats with associated parking and landscaping (resubmission following refusal of 5/05/0434CA).
Refused 12/12/06 Appeal ref
APP/B1930/E/07/2034914 dismissed 12/06/07.
- 6.1.3 5/05/0435 Demolition of cinema and erection of 14 flats (resubmission following refusal of 5/03/2078).
Refused 22/04/05. Appeal ref
APP/B1930/E/05/1180103 dismissed 30/09/05.
- 6.1.4 5/05/0434CA Demolition of cinema including facade. Conservation Area Consent refused 22/04/06.
Appeal ref APP/B1930/E/05/1180104 dismissed 30/09/05.
- 6.1.5 5/03/2078 Demolition of cinema, rebuilding and construction of 14 flats and car park to rear.
Refused 12/05/04
Appeal ref: APP/B1930/E/04/1158437 dismissed 30/09/06.
- 6.1.6 5/03/2077CA Demolition of cinema (including façade). Refused Conservation Area Consent 12/05/04.
Appeal ref. APP/B1930/E/04/1158513 dismissed 30/09/06.
- 6.1.7 5/00/1621 Retention of existing façade to London Road, construction of an office building to rear and car park structure on opposite side.
Approved 08/03/01
- 6.1.8 5/00/1620CA Retention of existing facade to London Road and demolition of the remainder of the building.
Approved 17/10/00.

- 6.1.9 5/98/2339 Retention of existing façade to London Road and construction of new office building to the rear, car parks and four one bed flats for social housing.
Approved 17/12/99.
- 6.1.10 5/98/2339CA Retention of front façade and demolition of remainder of building.
Approved 17/12/99
- 6.1.11 5/98/1304 Retention of front façade and construction of office building and erection of one bed affordable housing and ancillary car park.
Refused 03/11/98.
- 6.1.12 5/98/1293CA Retention of front façade and demolition of remainder of building.
Refused 03/11/98.
- 6.2 The latest appeal in June 2007, established the principle that the loss of the cinema is not contrary to policy and is acceptable development. This agreed principle has now resulted in the grant of full planning permission.
- 6.3 The site has the benefit of the following current approvals:
- 6.3.1 Planning permission 5/08/0694 dated 10th June 2008.
- 6.3.2 Conservation Area Consent 5/08/0695CA dated 9th June 2008.
- 6.4 These permissions are time limited and development must begin within three years (before 9th June 2011).
- 6.5 The planning permissions impose various restrictions on building works and purchasers should take note of these restrictions. For example, building works are not permitted on Sundays and Bank Holidays and only allowed between 0730 to 1800 hours Monday to Friday and 0800 to 1300 Saturdays. Access for demolition traffic is via London Road only and there are planning conditions on fencing, parking and plant.
- 6.6 Purchasers should note the various planning conditions that require formal discharge by the local planning authority prior to commencement of development (materials, detailed plans etc.). This includes a formal recording of the existing building. Reference should be made to the two letters dated 1st and 2nd July 2008 from St Albans Council which highlight these conditions.
- 6.7 The planning permission includes various planning obligations imposed by a unilateral Section 106 Agreement dated 7th May 2008. This includes the following obligations, inter alia:
- 6.7.1 Payment of £7,500 (plus index linked from June 2008 to payment) to the County Council for sustainable transport;

- 6.7.2 Payment of £24,234 (plus index linked) to the County Council for education, youth/childcare and library services;
- 6.7.3 Provision and maintenance of fire hydrants;
- 6.7.4 Provision of a memorial (by way of public art) to commemorate the cinema links, such item to cost between £2,000 to £3,000.
- 6.7.5 Payment of £30,293 (plus index linked) to St Albans Council for sports and recreational facilities.

Such obligations are not being paid by Wattsdown and potential purchasers should allow for such items and obligations to be at the purchaser's cost in making their offer.

7. **PLANNING CONDITIONALITY**

7.1 In light of the current planning policy and the extant planning permission, the Vendor expects offers unconditional of the grant of any further planning permission.



8. GROUND & BUILDING CONDITIONS

- 8.1 As mentioned above, Wattsdown does not have the benefit of any intrusive ground investigation reports. Purchasers should take in account in submitting their financial offer the risk of adverse ground conditions and should make due allowance for a foundation solution.
- 8.2 Wattsdown have invited two demolition contractors to provide competitive quotations for the demolition of the existing buildings and removal of the ground floor slab and foundations. This is based on the restrictions on working as imposed by the planning permissions. These quotes are provided in good faith to potential purchasers as a means to demonstrate the likely budget costs for this part of the development and should not be relied upon.
- 8.3 An initial asbestos survey was undertaken by Stats Environmental in July 2000. This inspection was essentially a Type 1 location and assessment survey for the presence of asbestos containing materials. This initial report has identified the presence of asbestos and purchasers should make an appropriate allowance for this issue when submitting offers.
- 8.4 Potential purchasers should be aware that any proposed development will have party wall implications.

8. **STATUTORY SERVICES**

- 8.1 Wattsdown have not carried out any statutory services investigations and the existing services for the existing cinema in terms of location and capacity are not known.
- 8.2 Potential purchasers should make their own enquiries and check individual service loading requirements.



10. **BASIS FOR SALE**

- 10.1 Wattsdown will consider tenders encompassing the freehold sale of the site with vacant possession, subject to contract and the unconditional on the grant of planning permission.
- 10.2 Tenders should allow for the currently anticipated timescale (as section 11 below).
- 10.3 Purchasers should make appropriate assumptions and allowances within their offer for demolition, ground conditions and necessary foundation solutions.
- 10.4 Purchasers should include and allow for future payment of the planning obligations as contained with the Section 106 Agreement.

11. LEGAL ISSUES

- 11.1 The freehold title is registered under title number HD235811.
- 11.2 The majority of the site is subject to a restrictive covenant dating back to 1897. This covenant restricts the following:
- 11.2.1 The value of houses built of the land to exceed a range of values £150 to £450 which are no longer relevant in terms of current housing values.
- 11.2.2 Houses erected on the site should adhere to the building line shown on the 1897 conveyance plan. Confirmation of this building line will be provided by Wattsdown.
- 11.2.3 No houses erected on the land shall be used as a tavern, hotel, inn etc. and no buildings shall be occupied or used other than as a private dwelling house.
- 11.3 A further covenant from 1910 prevents any staircase or other erection to be closed in to avoid overlooking the neighbouring land.
- 11.4 The eastern section of the site has a covenant from 1934 which imposes the following restrictions:
- 11.4.1 No building shall be used as a public house or for the manufacture of liquor or as a Club.
- 11.4.2 Any staircase or other erection shall be closed in so as in no way to overlook the adjoining premises.
- 11.4.3 An obligation to maintain a brick boundary wall of not less than 6 feet height between the points A – B.
- 11.5 Potential purchasers should note the maintenance obligation for the brick wall as provided above.
- 11.6 Regarding the overlooking of the adjoining premises (by staircases or ‘other erection’), this is thought to relate to the existing public house at 172 London Road (the neighbouring site to the east). The currently proposed elevation plans show clear glazed windows to this side wall.
- 11.7 The details of the Restrictive Covenants from the 1997 conveyance are listed on the Transfer dated 19th November 1997 and include inter alia restriction on use as a licenced premises or nightclub.
- 11.8 A draft sale contract together with Local Land Charges Search and Replies to Commercial Property Standard Enquiries are being prepared and will be made available to the shortlisted bidders.

12. **ANTICIPATED PROGRAMME**

12.1 Based on the current tender issue date, the anticipated development programme is summarised below (this is on the basis of a favourable planning scenario):

12.1.1	Tender Issue	December 2008
12.1.2	Tender Return Date	23 rd January 2009
12.1.3	Selection of Purchaser	30 th January 2009
12.1.4	Exchange Unconditional Contract	13 th February 2009
12.1.5	Latest Contract Completion	27 th February 2009

13. **TERMS & CONDITIONS OF SALE**

13.1 Wattsdown wishes to identify a prospective purchaser for 166 London Road, St Albans, AL1 1PQ.

13.2 Unconditional offers, subject to contract only, are invited in this respect. Offers should be submitted by noon on 23rd January 2009 and addressed as follows:

M. Moulton Esq.
Wattsdown Limited
Knebworth Lodge
Park Lane
Old Knebworth
SG3 6PP

Offers should be submitted in a plain envelope clearly marked 'St Albans Tender' and no other markings should be shown which could identify the sender.

13.3 Potential purchasers, when submitting their offers, should include the following information:

13.3.1 Financial offer (please refer to the tender proforma which must be completed) together with confirmation of cost allowances described within this tender package;

13.3.2 Any conditions attached to the proposal with a clear timetable as to the purchaser's requirements.

13.3.3 Identity of the purchaser together with development track record and evidence of financial resources available;

13.3.4 Details of solicitors acting in this instance;

13.3.5 Amount of deposit offered (10%);

13.4 Purchasers should accept when submitting their offer that, by the time of any exchange of contracts, they will not have relied on details provided by the Vendors or their Agents but have relied only upon their own enquiries.

13.5 Wattsdown does not undertake to accept the highest or any offer made.

13.6 In accordance with the Misrepresentation Act 1967, Moulton Walker Chartered Surveyors and Halls Chartered Surveyors for themselves and for the vendors of this property, whose agents they are, give notice that:

13.6.1 the particulars are set out as a general outline only for the guidance of intended purchasers, and do not constitute nor constitute part of an offer or contract;

13.6.2 all descriptions, dimensions, reference to condition and necessary permissions for use and occupation, and other details are given without responsibility and any intending purchaser should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them;

- 13.6.3 no person within Moul Walker and Halls has any authority to make or give any representation or warranty whatever in relation to this property;
- 13.6.4 in the event of any inconsistency between this Sales Document and the eventual Conditions of Sale, the latter shall prevail.
- 13.6.5 nothing in these particulars should be deemed to be a statement that the property is in good condition or that any services or facilities are in working order.
- 13.7 In accordance with the Estate Agents Act 1979, Moul Walker declare a personal interest in the transaction. Michael Moul, a director of Wattsdown Limited, is a former partner of Moul Walker, and is currently a consultant of Moul Walker.



14. **FURTHER INFORMATION**

- 14.1 Should potential purchasers require any further information, please contact the vendor's agents as follows:

Duncan Murdoch
Moult Walker Chartered Surveyors
St. Michael's House
Norton Way South
Letchworth Garden City
SG6 1PB.

Telephone: 01462 485144
E-Mail: duncanmurdoch@moult-walker. co.uk

Steven Walker
Halls Chartered Surveyors
9 - 11 Victoria Street
St. Albans
AL1 3JJ

Telephone: 01727 794104
E-Mail: steven.walker@collinsons.co.uk

- 14.2 Access to the site for external viewing is unrestricted; if accompanied visits are required please contact Steven Walker of Halls.