

EXECUTIVE BOARD – 18 December 2018

Subject:	14.56 acres of development land at Chingford Road NG8. Declare surplus, make the land available for housing development, appropriation for Planning (Development) purposes and stopping up order.
Corporate Director(s)/Director(s):	Chris Henning, Corporate Director for Development & Growth
Portfolio Holder(s):	Councillor Jon Collins, Leader of the Council & Portfolio Holder for Regeneration & Growth
Report author and contact details:	Jeremy Bryce, Estates Surveyor – Acquisitions & Disposals 876 3082 – jeremy.bryce@nottinghamcity.gov.uk
Subject to call-in: x Yes <input type="checkbox"/> No	
Key Decision: x Yes <input type="checkbox"/> No	
Criteria for Key Decision:	
(a) <input type="checkbox"/> Expenditure <input type="checkbox"/> Income x Savings of £1,000,000 or more taking account of the overall impact of the decision	
and/or	
(b) Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes x No	
Type of expenditure: <input type="checkbox"/> Revenue x Capital	
Total value of the decision: Exempt	
Wards affected: Bilborough	
Date of consultation with Portfolio Holder(s): 6 November 2018	
Relevant Council Plan Key Theme:	
Strategic Regeneration and Development	x
Schools	<input type="checkbox"/>
Planning and Housing	x
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input type="checkbox"/>
Jobs, Growth and Transport	<input type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	
Resources and Neighbourhood Regeneration	
Summary of issues (including benefits to citizens/service users):	
<p>This land has been included in the revised Local Plan 2, which is anticipated to be adopted in Q1 of 2019. It has been designated as a LAPP (Land and Planning Policies) site for residential redevelopment. As the Local Plan implementation period is almost immediate the land needs to be made available to prospective interested parties as soon as possible.</p> <p>In order to progress speedily with implementing any redevelopment senior officers and the Portfolio Holder for Regeneration & Growth will need to be able to react quickly to any proposed schemes and the accompanying terms being offered by the interested parties.</p> <p>There are public rights of way, which appear in the form of “desire lines” crossing the development footprint of the site, mainly from St Martins Close to Chingford Road. This route is used mainly by pedestrians as there are “bike crushes” to prevent anti-social behaviour from motor bike use on the land. This creates a need to de-risk the site against possible third party claims for these public rights of way to be permanently adopted into the Councils definitive map. Solving this issue now rather than in the future means there would be no delay in the delivery of any development.</p>	

Exempt information:

An appendix to the report is exempt from publication under Paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial or business affairs of particular individuals, (namely the authority holding the information and any prospective purchasers) and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

It is not in the public interest to disclose this information because it contains details relating to the proposed sale price for development land that has not been marketed, the disclosure of which may prejudice the Council's position in future negotiations.

Recommendation(s):

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| 1 | To declare 14.56 acres of development land the north of Chingford Road surplus, and make the land available for development. The size, mix and tenure of the development will be agreed at a later date. |
| 2 | To delegate authority to the Director of Strategic Assets and Property, in conjunction with the Leader/Portfolio Holder for Regeneration & Growth to agree the method by which this site will be brought forward for development and if appropriate the terms of sale including price. |
| 3 | To appropriate the same land for planning under S122 of the Local Government Act 1972 in order that a notice under S251 of the Town & Country Planning Act 1990 (as amended) can be served to stop up any public rights of way together with agreeing the costs thereof (which are contained in the exempt appendix). |

1 REASONS FOR RECOMMENDATIONS

- 1.1 As one of the larger sites in the West of the city designated for residential use in the emerging Land and Planning Policy document, it is appropriate that this land is declared surplus pending redevelopment. The delegation of this decision on the most appropriate route to development (including if it is decided to sell the site rather than redevelop in house) and the terms of sale and sale price will ensure that the site is brought forward in a timely manner.
- 1.2 Appropriation for planning purposes will de-risk the site against possible third party claims for inclusion of any Rights of Way into the Councils Definitive Map, which would delay the delivery of any development.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The Chingford field has been allocated for residential development in the Nottingham City Council Local Plan and is an important site in terms of its potential contribution towards the Councils housing development targets. Despite the significant need for housing, there has been opposition to the site being developed from residents living close to the site.
- 2.2 In 2017 NCC officers conducted a number of consultation sessions with local people as well as meeting with Local Councillors. The consultation confirmed that most local people who responded did not support the development as they were concerned about the loss of green space, pressure on roads and schools and loss of privacy as well as concerns over access to the field via St Martins Close.

- 2.3 Local Councillors sympathised with these concerns and although they recognised the urgent need for more affordable housing in Nottingham, they would only drop their opposition to development if the plans were adapted to address local concerns. To this end the amount of open space to be retained on the site was enlarged and vehicular access will be off Chingford Road not via St Martins Close. For these reasons, the current intention is that the development of the site will be controlled by the Council, for a mixed tenure scheme.
- 2.4 As part of the work on agreeing the development of the Chingford Playing Field site, officers consulted with the Ward Cllrs as part of their regular meetings on 31/07/2017 to discuss the issues with the Chingford Playing Field development. The Regeneration Team have also carried a consultation exercise with local people over a period of time, with consultation events at different locations and at different times of the day in order to maximise participation from local residents. This took place in August and September 2017.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Not to develop the site. This was rejected as it is expected that the site will be allocated for residential development in the emerging Local Plan. The site is not designated within the Council's protected Open and Green Space Network, nor is it identified within the Playing Pitch Strategy requiring the involvement of Sport England in the decision making process.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 There are some small maintenance costs of £3,200 per year that will be saved but this sale has no other financial impact on the Property Directorate and there is no income currently being generated from this site.
- 4.2 If the site is sold, any receipt will be used corporately to support the Capital Programme.

Mandy Bryce – Senior Commercial Business Partner 30 November 2018

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 The proposals set out in the report are supported from a legal perspective on the basis that any necessary statutory notices, consents or approvals will be obtained prior to any appropriation, disposal or development occurring.

Malcolm R. Townroe, Director of Legal and Governance 5 October 2018.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

- 6.1 This report has been authored by and is supported by Property.

7 SOCIAL VALUE CONSIDERATIONS

7.1 A new homes development of this size will help create employment and deliver a mix of new housing for the betterment of local and city residents.

8 REGARD TO THE NHS CONSTITUTION

8.1 N/A

9 EQUALITY IMPACT ASSESSMENT (EIA)

9.1 Has the equality impact of the proposals in this report been assessed?

No

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An EIA is not required because:

(Please explain why an EIA is not necessary)

There are no equality impacts relating to this proposal nor does this decision request any changes to existing policy or services.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

10.1 Exec Board 21.05.2015 – Adoption of the Playing Pitch Strategy and Sport & Physical Activity Strategy for the City.

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 The adopted Nottingham Local Plan (November 2005)