

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
RECORD OF EXECUTIVE / CHIEF OFFICER DECISION**

This form should be used to record key and other decisions made by individual Portfolio Holders and key decisions made by Chief Officers. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

Unless permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that this decision be treated as a matter of urgency under Rule 12.19 of the Scrutiny and Overview Committee Procedure Rules, this decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless called in under Rule 7 of the Budget and Policy Framework Procedure Rules or Rule 12 of the Scrutiny and Overview Committee Procedure Rules.

Portfolio	Housing Portfolio Holder
Subject Matter	Sale of Land off Station Road, Foxton
Ward(s) Affected	Fowlmere & Foxton
Date Taken	Friday, 23 June 2017
Contact Officer	Julie Fletcher, Head of Housing Strategy 01954 713352 (julie.fletcher@scambs.gov.uk)
Date Published	Friday, 23 June 2017
Call-In Expiry	Friday, 30 June 2017
Key Decision?	No
In Forward Plan?	No
Urgent?	No

Purpose / Background
<p>The purpose of this decision is to approve the option for the sale of land identified as Option A on the attached Plan 'A' and a further option for the sale of garden land at no.31 Station Road (identified as Option B) on the attached Plan 'B'.</p> <p>Endurance Estates have, with the landowners Goreway Holdings, obtained outline planning permission for 22 residential units on the development site in accordance with Plan 'C' attached [planning ref: S/2148/16/OL]. Prior to the application, the Council agreed in principle to sell land to create an access to the scheme, in accordance with the HRA Asset Sustainability Policy (Disposals and Acquisitions). The 'in principle' decision is purely based on making best use of the Council's land and maximising affordable housing. The reasons for agreeing an 'in principle decision' were:</p> <ul style="list-style-type: none"> • The District Council has no legitimate use of the access land • Proposed scheme would provide 9 affordable homes • Sale of land would provide a financial benefit to the Council • Added benefit to the area by way of re-provision of car parking required • Better access to the rear of the properties at Station Road which includes access to Council properties • Creation of public open space that could benefit existing Council tenants. <p>An independent valuation has been carried out and suggests a sale price for the land (Option A) of £200,000.</p> <p>At the time of the 'in principle' decision the Council was unwilling to pursue further negotiations with the tenant on release of the garden land as it was felt that to do so might be construed as actively supporting the development. As landlord, the Council should not have an influence on</p>

planning matters which are to be determined by Planning Committee.

Following the grant of outline permission Endurance Estates has approached the Council requesting that further consideration be given to selling the additional piece of garden land relating to no.31 Station Road to facilitate the widening of the access road. The current tenant is supportive of the proposal and happy to release the land subject to making good the fencing and improved parking arrangements. Concerns have been raised by the Parish Council that the release of further land to widen the access could potentially open up further development possibilities. The Housing Department has given this careful consideration but believe this would be a matter to be determined by the Planning Department if future planning applications were made. The view of the Housing Department is that a widened access would enable the road to be brought up to an adoptable standard, which would reduce maintenance costs for both the private and affordable households of the new development. Having a wider access would prevent the build up of traffic alongside no.31 tenant's garden and advice from Highways suggests this would provide a better access road. Based on the independent valuation, the sale of the garden land will realise a capital receipt for the Council of an additional £5,000. The Council will also seek an overage clause on the sale of the garden land based on 50% of the uplift in plot value if further development took place, either within the curtilage of the current proposal or through the adjoining land owned by Goreway Holdings Limited.

Declaration(s) of Interest

Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.

None

Dispensation(s)

In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.

None

Consultation

Record below all parties consulted in relation to the decision.

Consultation of the development proposals are part of the planning process for approval of the planning application. As landlord, the Council should not have an influence on planning matters which are determined by Planning Committee.

The Parish Council and Local Member have been kept informed of the process for the sale of the access land and were informed of the 'in principle' decision to sell. A further meeting has been held with members of the Parish Council following the request to sell the additional piece of garden land relating to no.31 Station Road.

The tenant of no.31 Station Road has been consulted as part of the process for considering the sale of the additional piece of garden land.

Other Options Considered and Reasons for Rejection

Option 1: To refuse the sale of land (Option A) at the recommended sale price of £200,000.

Reasons for Rejection: An 'in principle' decision has already been agreed to sell the land and the valuation of £200,000 is considered good value for money, achieving 50% of the uplift in value. A capital receipt of £200,000 can go towards providing more affordable housing through the Council's new build programme.

Option 2: To agree to the sale of land for the proposed access (Option A) but refuse the sale of the additional garden land (Option B).

Reasons for Rejection: The tenant is supportive of releasing the garden land. By widening the access this would enable the road to be adopted which would reduce maintenance costs for the

new tenants and residents of the proposed scheme. The merits of widening the access and the views of the parish council should be a consideration by the Planning Department in determining any further planning applications for the scheme. The sale of garden land (Option B) would achieve an additional £5,000 for the Housing Revenue Account and secure an overage to maximise the capital receipt if further development was achieved through planning permission.

Final decision	Reason(s)
<p>To approve the option for the sale of land identified on Plan 'A' (access land) for the price of £200,000. Heads of terms to be agreed by the Head of Housing Strategy.</p> <p>To approve the option for the sale of garden land identified on Plan 'B' for the price of £5,000 subject to improvements to fencing and car parking for the tenant at no.31 Station Road. Heads of terms to be agreed by the Head of Housing Strategy, subject to an overage clause to secure further capital receipt of 50% of the uplift if further development was granted.</p>	<p>The proposed development has received planning permission for 22 homes, of which 9 will be affordable homes. The provision of affordable housing is a key priority for the Council.</p> <p>The Council has no legitimate use of the access land.</p> <p>The sale price of £200,000 will support the Council's Housing Revenue Account and the delivery of new affordable council homes.</p> <p>This would enable the access to be widened enabling the road to be brought up to an adoptable standard, which would reduce maintenance costs for tenants and residents of the new development.</p> <p>The tenant at no.31 Station Road is happy to release the garden land and has been fully consulted on this option.</p> <p>The sale price of £5,000 will provide an additional capital receipt to the Housing Revenue Account and secure a further capital receipt if the development increased beyond the 22 units.</p>

Signed	Name (CAPITALS)	Signature	Date
Portfolio Holder Chief Officer	Signed copy available upon request from Democratic Services (democratic.services@scamb.gov.uk)		

Further Information