LAND ADJACENT 35 MEDCALFE WAY, MELBOURN

Purpose

1. To seek a decision by the Housing Portfolio Holder regarding the sale of the above land to the owners of 35 Medcalfe Way, Melbourn (see area outlined in red on attached plan).

Recommendations

2. That the Housing Portfolio Holder agrees to offer the land for sale, restricted to garden use only, to the owners of 35 Medcalfe Way, subject to the following:
   a) valuation
   b) payment of the Council’s legal costs by the purchaser
   c) planning permission for change of use.

Reasons for Recommendations

3. The Council would receive a capital sum from the sale.

4. The Council has no budget to maintain shrubs.

5. A similar area of Council land adjacent 43 Medcalfe Way was sold to the owners of that property in 2006 at the price of £1700.

Background

6. The area of land in question is currently planted with shrubs and adjacent an open grass verge about 3 metres in width (see photograph).

7. A request was received from the owners of 35 Medcalfe Way to purchase the land for the purpose of incorporating it as part of their rear garden.

Considerations

8. The area is situated at the rear of an electricity sub-station on the corner of Medcalfe Way and Hagger’s Close and is not so visible from Medcalfe Way.

9. If the area were fenced off by no 35, the wide open grass verge alongside Hagger’s Close would still remain and so the open appearance of the area would not be significantly affected.

10. The Council would receive a capital sum from the sale.
11. The area is too small to have potential for development and so is surplus to the Council’s requirements. A covenant restricting the land to garden use only can be included in the sale.

12. A similar area of Council land adjacent 43 Medcalfe Way was sold to the owners of that property in 2006 at the price of £1700.

13. The Council has no budget to maintain shrubs and so if retained, the area is likely to become overgrown and untidy.

**Options**

14. Offer the land for sale for garden use only to the owners of 35 Medcalfe Way, subject to the following:
   - d) valuation
   - e) payment of the Council’s legal costs by the purchaser
   - f) planning permission for change of use.

15. Retain the land in Council ownership.

**Implications**

16. | Option 1 would give a capital return to the Council |
| Financial | None identified |
| Legal | None identified |
| Staffing | None identified |
| Risk Management | None identified |
| Equality and Diversity | None identified |
| Equality Impact Assessment completed | No |
| Climate Change | Not relevant |

**Consultations**

17. Councillors Hales and Barrett were consulted and object to the disposal of the land for the same reasons as those of the Parish Council and because the Parish Council may be willing to take over its maintenance.

18. Melbourn Parish Council objects to the sale of the land. They wish it to remain open space so that it can be kept as an open vista where the greenness and airiness can be shared by all.

19. The Housing Services Manager supports the sale of this land for the reasons given with the Recommendation.

**Effect on Strategic Aims**

20. Incorporating the land as part of the garden of the neighbouring property will not significantly affect the open appearance of the area and will prevent the shrubs from becoming overgrown and untidy, therefore addressing the aim to make South Cambridgeshire a place in which residents can feel proud to live.
Conclusions / Summary

21. The land is requested for purchase by 35 Medcalfe Way for garden use only. If fenced off, the open grass verge alongside Hagger’s Close will remain and so the open appearance of the area will not be significantly affected. As no budget exists for the Council to maintain shrubs, if it is retained in Council ownership the area could become overgrown and untidy. The Council would receive a capital sum with the sale and a restrictive covenant can be included. A similar sale of land to another Medcalfe Way property was agreed and completed in 2006.

Background Papers: the following background papers were used in the preparation of this report:
None.

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