



PORTFOLIO HOLDER DECISION NOTICE

INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR ESTATES

TOPIC - LAND ADJACENT TO 27 LONG PRIORS, WEST MEON

PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Legal Services Manager, the Chief Executive and the Strategic Director: Resources are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

Contact Officers:

Case Officer: Amanda Dennis, 01962 848 211, adennis@winchester.gov.uk

Democratic Services Officer: Nancy Graham, 01962 848 235, ngraham@winchester.gov.uk

SUMMARY

- Winchester City Council owns land next to 27 Long Priors, West Meon, shown on the plan in Appendix A.
- The owners of the adjoining farmland have asked if the Council would sell the land in order to provide an access route for a small residential development on their land, which is an allocated residential site in the draft South Downs National Park Local Plan.
- The land is subject to a restrictive covenant from a third party.
- The terms of the sale have been provisionally agreed, including the terms for the release of the restrictive covenant, which are listed in exempt Appendix C.
- The proposal will mean that the Council receives a capital receipt which can be put towards supporting all the Council Strategy objectives. In addition, the proposal enables the provision of affordable housing.

DECISION

1. That the land shown on Appendix A is sold on the terms listed in exempt Appendix C.
2. That the sale be advertised as required under Section 233 Town and Country Planning Act 1990 and that the Portfolio Holder for Estates in conjunction with the Corporate Head of Asset Management consider any representations received.

REASON FOR THE DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Supporting Information

Winchester City Council owns an area of land of approximately 300 square metres adjacent to 27 Long Priors, West Meon. The land is shown edged red on Appendix A. The land is subject to a restrictive covenant from the adjoining landowner limiting the use of the land to open space. In addition, because the land is public open space, as part of the disposal process the intention to dispose of it needs to be advertised and consider any objections made.

The land to the east of 27 Long Priors is currently farmland and has been identified as an allocation for residential development in the Draft South Downs National Park Local Plan. Appendix B is an extract from the draft local plan showing the site.

The Council has been approached by the owners of the adjoining farmland to ask if they could purchase WCC's land in order to provide an access to their site to enable it to be developed for 10 houses to include affordable housing. There is no objection in principle from Winchester City Council's landscape team to the proposed sale of our land.

An alternative access to the development site is possible along a farm track but is likely to be unsatisfactory in highway terms and would be costly to upgrade. Consequently the Council's land is key to the development proceeding and therefore the value is in excess of its existing use value as open space. Consequently the price agreed represents best value reasonably obtainable.

The beneficiary of the restrictive covenant has been approached and is willing to release the covenant on the terms listed in exempt Appendix C.

The terms of the sale of the Council's land are listed in exempt Appendix C and reflect the enhanced value.

If planning permission is not granted for the scheme on the adjoining land the Council's land will not be sold and will continue in its present use. However, it would

be prudent for the Council to complete the agreement to release the land from the restrictive covenant so that the issue does not have to be revisited should the situation change.

The decision to sell the land will enable the Council to obtain a capital receipt and the scheme will provide affordable housing.

An alternative option is not to agree to the request. Winchester City Council does not have to agree to sell its land. The effect of not agreeing could be that the site is not brought forward for redevelopment and the provision of additional dwellings, including affordable houses, are either delayed or never provided. The Council would also forgo a capital receipt.

RESOURCE IMPLICATIONS:

The sale of the land will result in a capital receipt for the Council which can be used to fund capital projects and support the Council Strategy objectives.

CONSULTATION UNDERTAKEN ON THE DECISION

The owner of the farm land has advised the South Downs National Park, as planning authority, about the scheme details including the access arrangements, but they are yet to engage on the full planning process. The West Meon Parish Council is given updates on progress.

Whilst no specific approach to external parties has been undertaken regarding the Council's intention to transfer its land, the access arrangements will be subject to consultation as part of the disposal and planning processes. Any representations received as part of the disposal process will be considered by the Portfolio Holder for Estates and the Corporate Head of Asset Management.

FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE

n/a

DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED

None.

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

n/a

Approved by: (signature)

Date of Decision: 04.07.18

Councillor Steve Miller – Portfolio Holder for Estates

APPENDICES:

Appendix A – Plan - Land Adjacent to 27 Long Priors

Appendix B – Extract from Draft SDNP Local Plan, showing the draft site allocation.

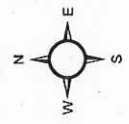
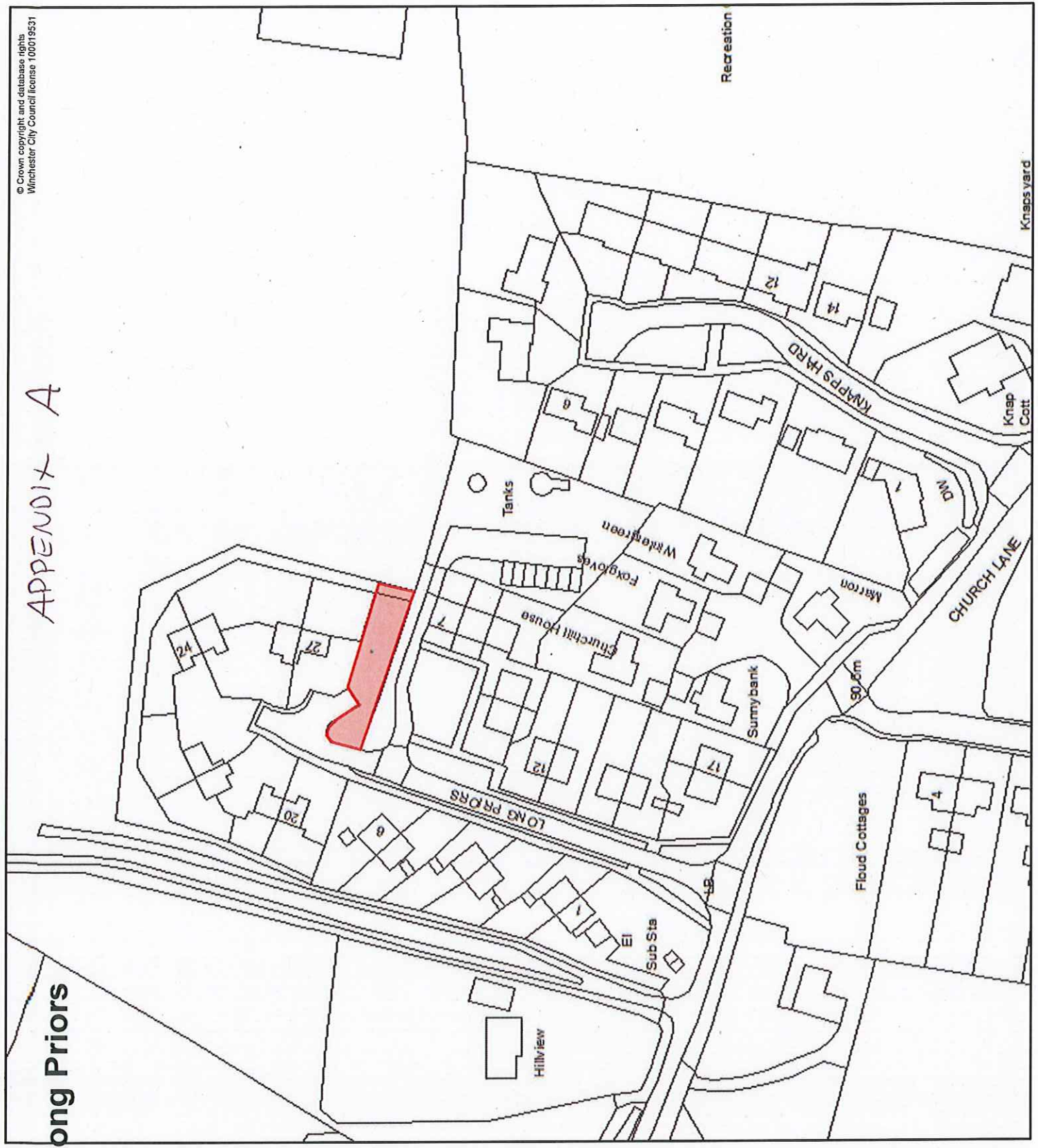
Exempt Appendix C – Terms of the Transfer

APPENDIX A

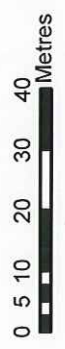
Land Adjacent to 27 Long Priors

Legend

Legend



Date: 14/12/2016



Policy SD-SS06: Land at Long Priors, West Meon		
Quantum of development:	Approx. 10 dwellings	Site Area: Approx. 0.3 hectares
<p>Land at Long Priors, West Meon as shown on the Policies Map is allocated for the development of approximately 10 dwellings. Detailed proposals that comply with other relevant policies and meet the following site-specific development requirements will be permitted:</p> <ul style="list-style-type: none"> • A transport statement may be required to support a planning application and appropriate access arrangements to be agreed and to the satisfaction of the highway authority. • A landscape and visual impact assessment will be required and should inform the design and layout of the site proposals. • The retention of existing mature trees. • No harm to be caused to groundwater given location in Source Protection Zone 2. • Careful consideration to be given to the boundary treatment of the site. 		
<p>Site description: The site is part of a larger agricultural field situated between residential development to the west and a recreation ground to the east.</p>		
<p>Constraints:</p> <ul style="list-style-type: none"> • Site covered by Source Protection Zone 2 		

Map of site

