

Committee: Cabinet

Agenda Item

Date: 26 February 2013

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Title: Affordable Housing - Easement over land adjacent to Broomfields, Hatfield Heath

Author: Cllr Julie Redfern – Housing Portfolio Holder

Key decision: No

Summary

1. This report asks Members of the Cabinet to consider allowing an easement over council owned land adjacent to Broomfields, Hatfield Heath to be given for nil value to Hastoe Housing Association, enabling vehicular and pedestrian access to 14 affordable homes and allotments, which are to be built in association with Hatfield Heath Parish Council.

Recommendations

2. That Cabinet notes the progress of this scheme.
3. That the easement is granted at nil value to enable the development of affordable housing
4. The deed of easement would be subject to terms and conditions and include an obligation to contribute to the periodic maintenance of the road

Financial Implications

5. The council will be forgoing the opportunity to secure a capital receipt if the land is transferred at nil value. The easement has been valued and will be reported at the meeting.

Background Papers

6. None

Published Papers

7. UTT/12/5349/FFUL

Impact

- 8.

Communication/Consultation	The Parish Council and Hastoe Housing Association have consulted extensively within the parish
Community Safety	Safety will be monitored by a Construction Design Management Coordinator when building work commences
Equalities	Equality and diversity is a key issue for the

	Council with regards to housing provision
Human Rights	N/A
Legal implications	The grant of an easement is not a disposal of land within the meaning of s.123 Local Government Act 1972 and the consent of the Secretary of State is not therefore required. There is power to grant the easement under the general power of competence contained in s. 1 Localism Act 2011
Sustainability	The houses on the development will be built to Passivhaus Standard
Ward-specific impacts	Affordable housing in the village of Hatfield Heath
Workforce/Workplace	N/A

Situation

9. A housing needs survey was undertaken with consent from the Parish Council in June 2009 by the Rural Housing Trust to assess the need for affordable housing in the parish. Housing interest forms were collected between February and September 2012 and 29 households expressed an interest in affordable housing for local people.
10. Hastoe Housing Association, one of the Council's partner Registered Social Landlords and providers of rural housing were selected to deliver a scheme, having already completed a number of other successful schemes in the area including a development of Passivhaus properties in Wimbish.
11. Following an extensive site selection process and discussions with the Local Authority Planning Department and Parish Council, the Parish Council opted for a site in Broomfields, Hatfield Heath. The site is mainly an agricultural field with the Western side of the site previously being allotment gardens.
12. Planning permission was granted with condition in 2012 for 14 affordable homes and allotments - including 2 x 1 bed flats; 8 x 2 bed houses; 3 x 3 bed houses and 1 x 2 bed shared ownership property, subject to conditions. The houses are to be built to PassivHaus standards, which are highly sustainable, but attract high build costs.
13. Whilst some of the road through Broomfields is adopted highway, one part is owned by the district council and is the only means of vehicle and pedestrian access to the 'Rural Exception Land' site being acquired by Hastoe
14. Hastoe have requested an easement over the council owned road, hatched in blue and red on the plan below, for pedestrian and vehicle access to the proposed new development of affordable housing. However, because of the

high build costs of this type of development, and to ensure the development is viable, the easement would need to be provided at nil value.

15.



16. The approved planning application for the development also includes alteration to the layout of the council owned road hatched in red, to form a shared pedestrian/vehicle route.

17. Hastoe will create safer access to both the parking area and the entrance to the new affordable housing development, as well as carrying out road improvement works on council land.

18. On completion of works future maintenance of the road will remain the council's responsibility subject to a fair and reasonable contribution being paid by Hastoe proportionate to their use of the access.

19. The Council will receive full nomination rights for all the new properties which will be let to people with a local connection.

Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
The Council will fail to meet local housing needs	2 – some likelihood if scheme does not progress	3 – failure to meet housing need of parish	Easement to be given at nil value to ensure scheme is viable and can proceed

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.