

## Land at Duck Street, Wendens Ambo

### Development Control, item 7

**Committee:** Development Control

**Date:** 21 May 2008

**Title:** Land at Duck Street Wendens Ambo

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Principal Planning Officer

**Agenda Item**

**7**

Item for  
decision

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#### Summary

This report relates to land which has been offered to the District Council by a Unilateral Undertaking under section 106 of the Planning Acts.

#### Recommendations

That the Unilateral Undertaking relating to this land is accepted by the District Council, and the land transferred to the Wendens Ambo Parish Council. The District Council will require the Parish Council to complete an agreement under seal to accept the transfer of the land from UDC before the District Council accepts the land from the landowner.

#### Background Papers

Unilateral Undertaking

#### Situation

This report relates to land which was the subject of applications UTT/0118/08/FUL and UTT/0126/08/FUL approved on March 4<sup>th</sup> 2008 and a previous application UTT/1303/06/OP Outline application for erection of four detached dwellings with garages, which was Refused 22/09/2006 and an Appeal was dismissed.

In the context of the adoption of the Uttlesford Local Plan and the Outline application, the applicant submitted a Unilateral Undertaking offering to give land to the rear of the planning application site to the District Council as open space, with an endowment of £10,000, but this was not specifically tied to the planning application UTT/1303/06/OP. Despite the refusal of that application this still stands as a valid Planning Obligation.

The land could still be accepted either by the District Council for itself or on behalf of the Parish Council for immediate transfer of ownership, and the Wendens Ambo Parish Council has been consulted to ask if they would wish to adopt this land. The Parish Council have responded positively and advise that at the last Parish Council Meeting, it was agreed that Wendens Ambo Parish Council would pay for the legal costs of the District Council for drawing up the legal paperwork etc concerned with the acquisition of the above land. The Parish Council proposes to use the land as an informal wildlife area possibly with an Orchard using traditional varieties of Apple.