

Committee: Development Control
Date: 11th June 2008
Title: Land at Churchfields, Ashdon
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Agenda Item

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Item for
decision

Summary

Successive planning permissions for affordable housing on Council-owned land at Ashdon have been granted in recent years. The development has been carried out by the Rural Housing Trust. The grant of permission has been subject to conclusion of a s106 legal agreement part of which requires land that remains in the ownership of the District Council to be laid out as public open space. Once this has been carried out to an acceptable standard the District Council will cede the land to the Parish Council.

The work has not been carried out to the standard required. In particular the fencing is poor, the grassing barely adequate and the planting, which includes trees with berry fruits, is not acceptable in a children's play area. There is an 8 to 10 inch deep dip (unmarked) in the grassed area thought to be access to the balancing tanks which is a serious trip hazard. The District Council is progressing enforcement of the s106. Nonetheless the Parish Council wish to take on the land in its current state.

Officers cannot advise that this would be appropriate as the land is not fit for purpose, but equally the Parish Council could enforce the terms of the s106 themselves if the land was transferred, or indeed carry out the works themselves. If the land is to be transferred at this stage then Members' acquiescence will be required.

Recommendations

That Members consider whether to transfer the land at Churchfields Ashdon to the parish Council for use as public open space.

Background Papers

Relevant application files

Impact

Communication/Consultation	Report arises from a request by the parish Council
Community Safety	The land would need to be fit for purpose before it could be used
Equalities	None

Finance	There are no financial implications for the District Council
Human Rights	None
Legal implications	None
Sustainability	None
Ward-specific impacts	Ashdon
Workforce/Workplace	None

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The land is not fit for use as public open space	3	1 provided it is not used	The Parish Council will be responsible for its safety