

Executive – 22 July 2010

## DISPOSAL OF LAND AT GREEN BANKS LANE, SLAPTON

### Report of Head of Property Services

**Statutory Powers:** Local Government Act 1972

**Financial Implications:** The Council will forsake a potential capital receipt in the region of £15,000.

### Purpose

1. This report outlines proposals for an affordable housing development by Tor Homes on land currently owned by South Hams Council at Green Banks Close, Slapton. The site is currently used as open space adjacent to Tor Homes' properties at Green Banks Close, Slapton.
2. The report seeks "in principle" agreement to the disposal of this site to Tor Homes at a price to be agreed. In addition approval is sought to advertise the proposed disposal of public open space as required under s123 of the Local Government act 1972. A further report will be brought back to Executive with the responses to the advertisement.

### RECOMMENDATION

**That the Executive RESOLVES that:**

- a. **In principle, the land is disposed of at a nominal consideration of £1 to Tor Homes to be developed for affordable housing for local people, subject to the granting of planning permission; and**
- b. **The proposed disposal of this public open space to be advertised in accordance with the requirements of s123 (2a) of the Local Government Act 1972 and any responses being reported back to a subsequent meeting of Executive for consideration.**

### Background

1. In November 2007 a Parish Housing Needs Survey, prepared by Rural Community Council for Devon, indicated that 9 households with a local connection to Slapton had a need for affordable housing. Following the survey and working in consultation with Slapton Parish Council a site search was undertaken. Out of a possible 11 sites that were identified for further investigation and assessment, the playing fields at Green Banks Close, which are owned by the Council, was agreed as the most suitable and available option for a local needs affordable housing scheme.

2. The site is immediately adjacent too, but outside of the current development boundary and would therefore be considered to be a Rural Exception Site as defined in policy AH5 of the Affordable Housing Development Plan Document.
3. The playing field at Green Banks Close, Slapton (Appendix A – site location plan) is approximately 0.16 hectares (0.4 acres). It is intended that the development would provide in the region of six 2 and 3 bedroom family homes.
4. Tor Homes has been selected as the developer for this project as it is one of the Council's preferred development partners in providing rural affordable housing.

### **Public Open Space**

5. Officers have been advised that the site in question falls within the scope of the statutory definition of Public Open Space. Whilst the Council is permitted to dispose of such land there is a requirement set down in Section 123 (2A) of the Local Government Act 1972 that, prior to any disposal, the proposal is advertised with a set period for any comments to be made. These comments then need to be brought back to Executive for consideration before any final decision is made on disposing of such an asset.
6. The Council's Landscape and Leisure Team and Slapton Parish Council have been consulted regarding the proposals and whilst concerned at the loss of open space, feel that a site North West of Town's End Cross (approximately 300 metres distant) could be a suitable alternative playing field site.
7. One recommendation within this report is, therefore, that Members approve the advertising of the proposed disposal of Public Open Space as set out and with a subsequent report back to Executive on the outcome of the process.

### **Financial Implications**

8. As the site is outside the development boundary the site has limited value, with acceptable uses being either agricultural land or pony paddock, which might attract a capital receipt in the region of £4,000 - £15,000. If the site were in private ownership and had the benefit of a planning consent for an exception site the value range would increase to £30,000 - £50,000 (based on the convention of approximately £5,000 - £8,000 per plot) dependant on site specific conditions, building specification and number of units. However the Homes and Community Agency (HCA), who provide grant funding to Social Registered Landlords, are increasingly seeking Local Authority investment in new affordable housing schemes. Where land is owned by a local authority there is an expectation this is provided at a nominal value. This effectively means that this land in the Council's ownership is not capable of realising a higher development value over the £15,000 stated above. Should the Council seek to secure a capital receipt, this would directly increase the overall scheme costs which in turn would increase the grant requirement above the levels likely to be supportable by the HCA.

## Other Implications

9. The site is currently used as an informal playing field and in order to mitigate the potential loss of public open space if planning permission is secured for the site, plans are being developed by Slapton Parish Council in consultation with the Landscape and Leisure Team to provide an alternative facility. Enabling works to the alternative site are currently being investigated by Slapton Parish Council who will be taking a long term lease of the land from a local landowner.

## Risk Assessment.

The following are the risks and opportunities identified:

Opportunity	Issues / Obstacles	Benefits
The proposed land disposal provides an opportunity to support an affordable housing scheme for local people in an area of high need.	If Executive resolves that the land should not be disposed of to Tor Homes then the viability of this affordable housing scheme could be placed in jeopardy and the scheme would not progress.	The proposal provides a timely opportunity to support an affordable housing scheme for local people and contributes significantly to the Council's corporate priorities.

## Conclusion

10. The transfer of this site in Slapton will make an important contribution to providing affordable housing for local people. An "in principle" decision now with regard to the disposal will enable the appropriate advertising to take place regarding the open space and will give Tor Homes the confidence to continue with their investment of time and resources in advancing the feasibility study and plans for this project.
11. Officers will report back on the outcome of the Open Space advert exercise as soon as practical.
12. In considering the need for affordable housing for local people, it is recommended that Executive approve the land to be disposed of for the nominal sum quoted, to Tor Homes subject to the granting of planning permission.

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Executive  
22 July 2010

James Stubbs  
Head of Property Services

## Background Documents:



Land at Green Banks  
Close, Slapton