



## CABINET – 7TH SEPTEMBER 2016

**SUBJECT: LAND AT UPPER CEFN ROAD, DERI**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 To seek approval to dispose of land at Upper Cefn Road, Deri (as shown edged black on the plan at Appendix 1 – “the land”).

### **2. SUMMARY**

- 2.1 The land was acquired by the former Rhymney Valley District Council in January 1980. A playground was established on the land under a General Improvement Area scheme funded by the Welsh Office.
- 2.2 The play equipment was removed in the 1980s but the Council has continued to maintain the area under the grounds maintenance contract as an area of informal open space.
- 2.3 Consideration has been given to the sale of the land as a residential building plot but the Darran Valley Community Council has objected to this proposal.
- 2.4 In line with the agreed procedure, the matter is being referred to Cabinet for a decision.

### **3. LINKS TO STRATEGY**

The contents of this report link to the following key strategic objectives:

#### **3.1 Housing Focus**

“Encourage the development and maintenance of high quality, well designed and efficient, sustainable homes and environments which can meet all needs.” (*Community Strategy: Living Environment – Objective 1*)

“Ensure an adequate and appropriate range of housing sites are available across the County Borough in the most suitable locations to meet the housing requirements of all sections of the population” (*Local Development Plan – Objective 9*)

“Meet housing requirements through the provision of a range of good quality, affordable housing options.” (*Aim 5: Affordable Housing – Local Housing Strategy*)

“Promote sustainable and mixed communities that are located in safe and attractive environments.” (*Aim 11: Community Regeneration - Local Housing Strategy*)

It will be seen from the foregoing, that the proposal contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:

- A sustainable Wales
- A prosperous Wales
- A more equal Wales

- 3.2 Under its approved Asset Management Objectives, the Authority aims to manage its land and buildings effectively, efficiently and economically and provide a safe, sustainable and accessible living and working environment for all users.
- 3.3 The Authority has a medium term financial plan (MTFP), which includes cost saving targets resulting from the disposal of assets.

#### **4. THE REPORT**

- 4.1 The land was acquired in January 1980 and a playground was established on the land under a General Improvement scheme funded by the Welsh Office. The Council maintained the metal play equipment and the grass from the early 1980s. The formal play equipment was removed in the late 1980s but the Council has continued to maintain this grassed area under the grounds maintenance contract.
- 4.2 The land is surplus to the requirements of the Parks division.
- 4.3 **Planning Issues**
- 4.3.1 The land lies within the settlement limit and is an area of informal open space. The disposal of the land has been considered against policy CW7 (Protection of Open Space) and planning officers consider that its release would be acceptable in principle.
- 4.3.2 In view of its location, there may be potential to develop a single dwelling on the land, subject to careful consideration being given to its relationship with neighbouring properties and the impact on the character of the street, along with other normal development control matters.
- 4.3.3 If the site is developed for housing, the developer will need to investigate options for the capture/discharge of surface and foul water. Whilst there are concerns about drainage in the area, as the quantity of effluent arising from the plot is unlikely to be large, the problems are not insurmountable.
- 4.4 Since the land forms open space, section 123(2A) of the Local Government Act 1972 prohibits its disposal unless, before the disposal, the Council causes notice of the intention to do so to be advertised for 2 consecutive weeks in a newspaper circulating in the area and considers any objections to the disposal that may be made.
- 4.5 Such advertisements appeared in a copy of the Campaign newspaper on 7th and 14th October 2015 with a final date for any objections to the sale being Friday 23rd October.
- 4.6 Notices were also posted on the site.
- 4.7 No objections were received to the public open space advertisements.

#### **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This proposal does contribute to the Well-being Goals as set out in Links to Strategy above. However, the proposal is a very minor one, being the disposal of land for the development of a single dwelling, so its consistency with the five ways of working set out in the sustainable development principle, as defined in the Act, is limited. The proposal looks to the long term so

that we do not compromise the ability of future generations to meet their needs in that it enables the provision of a dwelling. Implementation of the proposal involves a diversity of the population in the decisions that affect them by offering a 'self-build' opportunity to home ownership.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An Equalities Impact Assessment (EqIA) screening has been completed in accordance with the Council's Equalities Consultation and Monitoring Guidance. No potential for unlawful discrimination and/of low level or minor negative impact have been identified and, therefore, a full EqIA has not been carried out.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 The sale of the land will produce a capital receipt.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications arising out of this report.

## **9. CONSULTATIONS**

- 9.1 Darran Valley Community Council objects to the sale on the basis of "historical problems with access, both for vehicles and materials, and issues relating to water and an adjacent brook/stream". These are issues that will be considered as part of any future planning application.
- 9.2 Other than this objection by Darran Valley Community Council, there are no views expressed as a result of consultation that differ from the recommendation.
- 9.3 However, given the elapsed time since the original advertisements, the disposal will be re-advertised in accordance with paragraph 0 above. If the responses are materially different to the original responses a further Report will be brought to Cabinet.

## **10. RECOMMENDATION**

- 10.1 That the land be sold on the open market for residential development.

## **11. REASONS FOR THE RECOMMENDATION**

- 11.1 The land is not required operationally and is regarded as surplus.
- 11.2 There is sufficient open space nearby to serve the needs of the community.
- 11.3 The sale of the land will produce a capital receipt and release the Council from future maintenance obligations.

## **12. STATUTORY POWER**

- 12.1 Section 123 of the Local Government Act 1972 (as amended). This is a Cabinet function.

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Background Papers:

Responses to Notices of intention to dispose of the land can be viewed on Corporate Property IDOX file ID 6381

Appendices:

Appendix 1 Plan showing the land