

LITTLE WHEATLEYS ESTATE – PROPOSED ADOPTION OF AMENITY SPACE

1 SUMMARY

- 1.1 This report seeks Members agreement to the formal adoption of amenity space remaining from the development of the Little Wheatleys estate. The area is indicated on the attached plan (Appendix A). The land is situated on the corner of Little Wheatley Chase and Bardfield Way.

2 INTRODUCTION

- 2.1 Little Wheatleys estate was originally developed by Beazer Homes, and was subject to a planning agreement with the Council dated 19 December 1990 requiring the provision and dedication of a small amenity area at the entrance to the estate. Beazer Homes has since been bought out by Persimmon Homes.
- 2.2 Following the purchase by Persimmon Homes, discussions have taken place regarding the works required to bring the amenity area to adoptable standard. Some of these works have been carried out by the developer and a sum of £500 to be paid by Persimmon has been agreed for the Council to complete the landscape works.

3 PROPOSED ADOPTION

- 3.1 The planning agreement required the dedication of this area as amenity land, after it had been landscaped. A significant brick wall was originally built within the site at the start of the development, as part of the marketing arrangements for the estate. This has now been demolished in preparation of the site for adoption.
- 3.2 The land in question will revert to amenity space and will be maintained as a grassed area, with some shrub planting.
- 3.3 The land is bounded on two sides by low walls adjacent to the public highway, which will become the responsibility of Rochford District Council and on the other two sides, by a private wall and a garage wall, which remain the responsibility of the adjacent landowners.

4 RISK IMPLICATIONS

4.1 Operational Risk

This is a small area of land but in a very prominent location and requires regular maintenance.

4.2 Reputation Risk

This small area of land is in a prominent location and if not maintained will damage the reputation of Rochford District Council

5 ENVIRONMENTAL IMPLICATIONS

- 5.1 Failure to maintain this piece of land will result in an unacceptable area that will inevitably cause complaint by the public.

6 RESOURCE IMPLICATIONS

- 6.1 There is a small annual cost for the maintenance of this area in the order of £100 per year which Persimmon Homes has now agreed to provide a commuted sum of £1000 to maintain the area.

7 LEGAL IMPLICATIONS

- 7.1 This land was originally agreed to be dedicated to the Council in 1990, under an agreement for the development of this estate. This report will conclude what has been a very lengthy process and clarify ownership of this land and set in place maintenance arrangements.

8 RECOMMENDATION

- 8.1 It is proposed that the Committee **RESOLVES**

That the Head of Legal Services completes the transfer of the amenity area at Little Wheatleys to the Council subject to the developer funding the required accommodation works, and providing the commuted sum of £1000 for maintenance, and meeting the Council's reasonable legal costs of the transfer and such other terms and conditions as the Head of Legal Services considers appropriate.

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Background Papers:

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