
DEVELOPMENT AND ACCESS TO LAND AT 5 WEIR POND ROAD ROCHFORD

1 SUMMARY

- 1.1 To consider a request for the purchase of land in the Council's ownership to facilitate the development of the land at 5 Weir Pond Road. The Chairman has admitted this item of business as urgent in view of the pending disposal of the development site.

2 INTRODUCTION

- 2.1 Planning permission was granted for the residential redevelopment of the current commercial premises at 5 Weir Pond Road on 20th January 2005. The application site is shown outlined by a bold black line on the attached plan. A condition of the permission stipulated that access to the approved development should only be via Oast Way and the existing vehicular access to the site from Weir Pond Road be closed. The condition was imposed on the recommendation of the County Surveyor in the interests of highway safety.
- 2.2 The Applicant who is the current Owner is in the process of selling the site and it has become apparent that the Council owns a strip of land approximately 2 metres in length at the end of Oast Way over which access would need to be afforded to accord with the planning condition. The area of land is shown hatched on the attached plan.

3 PROPOSED DISPOSAL OF LAND

- 3.1 The area of land in Council ownership is a residual piece of land from the development of the adjoining Council properties in Oast Way and Malting Villas Road. The carriageway of Oast Way at that time was designed to stop short of the boundary with the commercial site so as to retain control over the access to this area.
- 3.2 The Applicant is seeking the Council's agreement to the sale of the access strip to enable the development to be implemented in accordance with the planning consent.
- 3.3 Whilst the Council's land will not necessarily be valued at a ransom premium given the existing access from Weir Pond Road it nevertheless is important in realising the planning consent that has been granted and this is likely to be a consideration in determining its price. A valuation has not yet been obtained but any disposal will need to be at market value as assessed by an independent Valuer.

4 ENVIRONMENTAL & PLANNING IMPLICATIONS

- 4.1 The planning position has been determined by the grant of consent. Access from Oast Way for residential redevelopment of the commercial site is considered to be preferable in the interests of highway safety to the existing access from Weir Pond road.

5 RESOURCE IMPLICATIONS

- 5.1 Transfer of the land would be at market value and subject to the Applicant meeting the Council's legal and valuation costs.

6 LEGAL IMPLICATIONS

- 6.1 Appropriate covenants would ensure any access is only provided for residential use.

7 RECOMMENDATION

- 7.1 It is proposed that the Committee **RECOMMENDS** to Council

To sell the land at the end of Oast Way, Rochford to the Applicant at market value subject to the applicant agreeing to meet the Council's legal fees, costs and valuation expenses and such other conditions as the Head of Legal Services considers appropriate.

A J Bugeja

Head of Legal Services

Background Papers:-

None

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