

PLACE COMMITTEE

6TH JUNE 2018

REPORT OF HEAD OF THE INTERIM DIRECTOR FOR GROWTH AND REGENERATION

REQUEST FOR ACCESS TO THE COUNTRY PARK

1.0 PURPOSE OF REPORT

- 1.1 To invite the committee to consider a request from residents of Scholars Grange (Part of the Persimmon development off Nottingham Road) to form an access from the eastern extremity of their development into the adjoin Country Park.

2.0 RECOMMENDATIONS

2.1 That the Committee:

- (i) **agrees to the connection as proposed by residents;**
- (ii) **Authority is provided to the Director of Growth and Regeneration to undertake detailed negotiations regarding the funding of the scheme with the developers, Persimmon homes, and the residents group.**

3.0 BACKGROUND

- 3.1 The Council granted planning permission to Persimmon Homes North Midland on 30th January 2014 for the Scalford Road, Lodge Farm development. The development includes 91 dwellings of which 36 are affordable homes. The approved plans include a pedestrian link up to the boundary of the Country Park at the East of the Site as shown on the site Plan attached as Appendix A. The plans also show construction of balancing ponds in the east part of the site alongside the footpath.
- 3.2 The Planning Permission anticipated **potential** for access being created to link the new development and the Country Park, however it did not require nor give any assurance that the connection would be acceptable, or suggest that permission would be forthcoming to make such a connection, nor does it give any details on the specification or the proposed link into the Country park.
- 3.3 The Council has received approaches from residents who had purchased properties on the new Persimmon Estate with an understanding that the footpath would link into the Park. They were concerned that the link had not been created and they do not have access into the Country Park. We are advised that Persimmon referenced the connection when marketing the houses but they have never approached the Council for this purpose.
- 3.4 The issue was previously considered at a meeting of MEEA Committee in January 2017 and a favoured route was identified. This was identified as the route that would have the least impact on ecological issues. However, following liaison with the landowner concerned, permission to cross the land was declined. The residents however still wish to make the connection and have identified an alternative route. The alternative route – now proposed by residents – was identified as having a greater impact but was not considered unacceptable in ecological terms

- 3.5 As Members are aware, the Melton Local Plan proposes housing on 3 sides of the Country Park and applications in this vicinity and similar requests for access have and will continue to be made. One such request has been made from the east side of the Country Park which was deferred, pending a comprehensive survey to identify the optimum locations. This is now in hand, however, this request pre-dates that approach and that it should proceed in advance of that exercise.
- 3.6 Residents of Scholars Grange Estate were consulted through a house to house survey with a 75% reply in favour of a pathway. Council officers have explored an alternative option. A recent survey on Persimmon Homes Land, below the balancing pond, showed an area which Persimmon would be unlikely to develop because of the pond. It is intended that the pathway could go through this land, shown as Option 2 (dotted line in orange) on the attached plan (appendix 1)
- 3.7 The pathway would involve crossing a ditch. In order to address this, a reinforced pipe would need to be placed in line with the water flow of the ditch which is more often dry, than wet. Either side of that pipe there would need to be a sloped embankment of hard core and top finished material such as Ultitrec sympathetic to the surroundings. There would be no kerbing to the path just a hard shoulder preventing “break up” with a wooden hand rail. The “gentle slope” would enable wheel chair access. The path would then connect to the existing path on the Persimmon Land. On the Council side of the ditch we would clear a new path running as close to existing “bund” as possible and leading to the Car Park of the Country Park taking the public away from the houses in Wymondham Way. This proposal would minimise any impact on the Country Park, and would not interfere with any habitat of ecological value.
- 3.8 The likely cost of the aspect of installing the pipe and the land works associated would be in the region of £10,500.00. It would be intended to seek a contribution from Persimmon Homes toward the cost but otherwise residents have advised they will meet the costs either financially or in kind through donations of materials, labour etc. Residents have stated that they are prepared to supply elements of free labour (under properly qualified supervision). They have previously been in conversation with Community Pay Back who have confirmed that this is a project meeting their criteria. The residents have also explored the possibility of Charitable Grant Aid via Leicestershire County Council list of Granting Charities.
- 3.9 This proposal has been informally discussed with some of the residents of the Scholars Grange Estate, and no concerns have been raised. As a result, officers have written to Persimmon Homes setting out this proposal, and proposing that the Council take Leased ownership, term to be decided, at a peppercorn rent and undertake all routine future maintenance.
- 3.10 The Friends of Melton Country Park have in the past voiced their concerns at another access to the County Park being provided. The concerns have centred on the Park losing some of its integrity. The Friends of Melton Country Park have been written to with the latest proposals and a meeting with them has been sought.

4.0 **POLICY AND CORPORATE IMPLICATIONS**

- 4.1 There are no direct policy or corporate implications arising from this report. the interaction with the local plan housing allocations and comprehensive approach to looking for optimum locations for access is as explained above.

5.0 FINANCIAL & OTHER RESOURCE IMPLICATIONS

5.1 The Council understand that the access will be funded from external sources (see above). Ongoing maintenance costs would be minimal.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 The Council can grant a wayleave or easement to provide access into the Country Park from adjacent housing developments and a suitable route has been identified to implement.

6.2 There is no obligation for the Council to create an access into The Country Park. Purchasers on the new Estate who consider that the developer had indicated to them that there would be an access link from the footpath will be advised to raise this matter with the developer/ house builder .

7.0 COMMUNITY SAFETY

7.1 There are no direct links to community safety arising from this report.

8.0 EQUALITIES

8.1 The access would need to be accessible for all including wheelchair users and people with other access issues.

9.0 RISKS

Very High A				
High B				
Significant C				
Low D		1, 2		
Very Low E				
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic

Risk No.	Description
1	Complaints from residents on the new housing estate that access to the Country park is being prevented by the Council.
2	The Council incurs costs in investigating and approving access that is not covered by developers

10.0 CLIMATE CHANGE

10.1 There are no climate change issues directly arising from this report.

11.0 CONSULTATION

11.1 Friends of The Country park were consulted on the original proposals.

12.0 **WARDS AFFECTED**

12.1 All wards are affected.

Contact Officer:

Date: 24th May 2018

Appendices:

A: map of the area with route shown

Background Documents: Report to REEA Co0mmittee, Jan 2017