## LAND OFF PAYGROVE LANE, LONGLEVENS

<table>
<thead>
<tr>
<th><strong>Cabinet Date</strong></th>
<th>1&lt;sup&gt;st&lt;/sup&gt; December 2004.</th>
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<tbody>
<tr>
<td><strong>PORTFOLIO HOLDER</strong></td>
<td>County Councillor Liz Boait, Corporate Resource and Management</td>
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<tr>
<td><strong>Key Decision</strong></td>
<td>No</td>
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<td><strong>Background Documents</strong></td>
<td>Motion 545 on Agenda for Council meeting on 15&lt;sup&gt;th&lt;/sup&gt; September 2004. Cabinet 6&lt;sup&gt;th&lt;/sup&gt; October 2004 Disposals Strategy Confidential Appendix A</td>
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<td><strong>Main Consultees</strong></td>
<td>Gloucester City Council</td>
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<td><strong>Planned Dates</strong></td>
<td>None yet planned</td>
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<td><strong>Divisional Councillor</strong></td>
<td>Councillor Phillips</td>
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<td><strong>Officer</strong></td>
<td>Charles Coats: Head of Corporate Property Services</td>
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### Purpose of Report
To enable Cabinet to consider Motion 545 in respect of land off Paygrove Lane as referred from Council

### Key Recommendations
- That the transaction be allowed to continue as recommended below:
  1) disposal to the adjoining Developer who controls the access
  2) reservation of substantial Public Open Space on the eastern site

### Resource Implications
- Corporate Property Services and Legal and Democratic Services input
- Potential to realise a significant capital receipt
MAIN REPORT CONTENTS

1. Background:

At its meeting on 15th September 2005, County Council received the following motion proposed by Councillor Hall.

70.3 Motion number 545 – Cllr Hall proposed the following motion

This council acknowledges the important role that community sports facilities play in promoting health and well-being amongst all sectors of our community and their particular importance in fighting childhood obesity. As such we call on the Cabinet to urgently make arrangements to allow the use of the disused field off Paygrove Lane in Longlevens to allow community use on an interim basis and ensure that any long-term use makes provision for public open space in the form of a playing field.

This motion was seconded by Cllr Gravells.

RESOLVED

That the Motion be referred to Cabinet for consideration

2. Current Position:

The County Council owns two detached former recreation fields on opposite sides of Paygrove Lane that have been surplus to operational requirements since the closure of the adjoining secondary school. The eastern site can only be accessed currently through the Infant School, and this is presently precluded on grounds of security. The western site remains unplayable on health and safety grounds following previous archaeological investigations undertaken as a precursor to exploring site re-development potential. The capital cost of restoration to playing field standards would have to be found for any temporary hiring.

The land was declared surplus in 1989. The western site in particular extending to 1.41 Ha has significant residential development potential, and acting on previous delegated authority, heads of terms have been agreed and exchange of contracts is now imminent for the sale of both parcels of land to a major developer who holds the ransom access to the western site.

The City Council as Local Planning Authority has shelved the current review of its Local Plan, in the course of preparation under earlier legislation, and is now starting to adapt it into a series of Development Plan Documents under 2004 legislation.

National policies and guidance that relate to former playing fields and open spaces are embodied in regulations relating to Section 77 of the School Standards and Framework Act 1988, and the recent revision of PPG17. The former is time-barred in relation to the Paygrove Lane sites, and the latter sets out criteria which supersedes the pre-2001 City Council draft Policy. The Developer contends that this Policy, which the City Council continue to use for development control purposes, is unsustainable. It will be tested
democratically through the planning application submitted by the prospective purchasers next year.

Gloucester is one of the two Principal Urban Areas identified nationally, regionally and at County level for concentration of high density urban development. The Paygrove development will satisfy all national policy criteria, with a pitch within the East site (2.36 Ha) being dedicated to Public Open Space, likely to be a condition of planning consent.

As with all matters relating to the planning process, timescales are uncertain. It is hoped the matter will be resolved within two years, or three years if an appeal is required. In order to maximise the opportunity of achieving a major capital receipt for reinvestment in front line services through the capital programme unfettered control of the land will pass immediately to the Developer on exchange of contracts, and matters of temporary re-use will be a matter for him. Its interim use for sports purposes could significantly prejudice the planning application by creating a strong local argument in favour of retaining a newly secured sports facility.

Options: (a) Continue with the current negotiations in order to realise a major capital receipt plus dedication of major Public Open Space on the eastern site.

(b) Abort the sale and retain both fields for local playing pitches, with no capital receipt. This would entail highway, pitch restoration and fencing capital works, and hiring will probably produce a revenue loss. The County Council has no statutory responsibility for the direct provision of local playing pitches of this nature.

Risk Assessment: Under National Planning Policies, which should prevail at an appeal, sale completion is anticipated within 3 years

Consultation

Feedback: The developer will carry out the next round of public consultation in connection with the new planning application.

Recommendation:

That the transaction be allowed to continue as recommended below:

1) Disposal to the adjoining Developer who controls the access
2) Reservation of substantial Public Open Space on the eastern site

Summary:

The recommendations above will make provision for long term public open space through the planning process but any interim use of the land for playing fields whilst the developer is promoting his planning application could possibly prejudice or at best complicate its outcome.
<table>
<thead>
<tr>
<th>Report Title</th>
<th>Paygrove Lane, Longlevens</th>
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<tbody>
<tr>
<td>Statutory Authority</td>
<td>s.123 Local Government Act 1972</td>
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<tr>
<td>Relevant County Council policy</td>
<td>The County Council’s formally approved Disposals Policy relating to surplus land.</td>
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<tr>
<td>Resource Implications</td>
<td>Realisation of a significant capital receipt.</td>
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<td>Sustainability checklist:</td>
<td>Housing would be a suitable use for part of the land in question due to its sustainable location, together with delivery of the related major dedicated Public Open Space.</td>
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<td>Partnerships</td>
<td>The developer would work with Gloucester City Council to deliver recreational space for the local population</td>
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<td>Economy and Employment</td>
<td>The proposal would provide homes for the local workforce together with new public recreation space.</td>
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<td>Caring for people</td>
<td>Would make better use of an underused resource for the benefit of local people.</td>
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<td>Built Environment</td>
<td>Would ensure efficient use of land within a Principal Urban Area.</td>
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<td>Landscape</td>
<td>The Local Planning Authority would ensure the proposals result in an attractive urban environment.</td>
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<td>Education and Information</td>
<td>By reference to need, a S.106 Agreement would guarantee planning contributions to Education projects.</td>
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<td>Equal Opportunities in Service Delivery</td>
<td>The capital receipt can be re-invested in projects through the Capital Programme to further Equal Opportunities.</td>
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<td>Human rights Implications</td>
<td>Promotes the provision of both homes and recreational space in an urban environment</td>
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<td>Consultation Arrangements</td>
<td>To be undertaken by the Developer through the democratic planning process.</td>
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