

HERTFORDSHIRE COUNTY COUNCIL

**CABINET
MONDAY, 19 FEBRUARY 2018 AT 2:00PM**

Agenda Item
No:

12

TO CONSIDER THE FUTURE OF RURAL ESTATE LAND AT BALDOCK

Report of the Director of Resources

Author: Roger Arbon, Senior Estates Officer, 01992 588052

Executive Member: David Williams, Leader of the Council (as responsible for the Resources, Property and the Economy portfolio)

Local Members: Steve Jarvis, Royston West and Rural
Michael Muir, Baldock and Letchworth East

1. Purpose of Report

- 1.1 For Cabinet consideration of the future of the land as set out in the report and to seek agreement that it be made available for development for the uses for which it is being allocated in the North Hertfordshire District ("NHDC") Local Plan.
- 1.2 To enable Cabinet to consider a strategy for the closure of the rural estate business at Baldock as detailed in this report and to authorise the release of the lands for disposal and development of the urban extensions to the town after adoption of the new NHDC Local Plan.

2. Summary

- 2.1 The County Council has been requested to advance land at Baldock for development to assist NHDC in meeting its housing supply and other growth requirements within the new Local Plan period. The County Council owns a large area of agricultural land to the east and north of Baldock (currently let as farms and managed by the County Council's Rural Estate team such land subsequently referred to as the Baldock Rural Estate) which can be made available to meet proportion of the requirement. Initial planning indicates a likelihood of the ability to provide lands to accommodate some 3,300 dwellings with associated infrastructure and local facilities, together with a substantial area of employment land.
- 2.2 Part of this land is a site at Royston Road that was taken out of use and reserved as a primary school site but never used. It is no longer required for school use as the master-planning work for the urban extensions shows other more appropriate sites for a school. It is located at the eastern edge of existing development and is capable of immediate housing development (subject to planning permission).
- 2.3 Planning applications have been submitted.

3. Recommendation

3.1 The Resources, Property and the Economy Cabinet Panel will consider a report on this item of business at its meeting on 14 February 2018. The Panel will be invited to recommend that Cabinet:-

- (i) agrees the land at Royston Road, East of Clothall Common, Baldock as shown on the plan (Site identification 101A), attached at Appendix A to the report, is surplus to County Council requirements and approves the proposed disposal of the land,
- (ii) delegates to the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Property and the Economy portfolio) and the Executive Member for Environment, Planning and Transport, to approve the terms of the sale of the land at Royston Road, Baldock.
- (iii) agrees that the rural estate lands to the North and East of Baldock (as shown on the attached plan RE2842/F, attached as Appendix B to the report, are surplus to needs and can be released for disposal for the creation of urban extensions developments and authorises a programme of phased closure of the Hertfordshire County Council's Rural Estate service in this location to achieve the required timetable of land releases and disposals for those developments, with the details to be agreed by the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Property and the Economy portfolio) and the Executive Member for Environment, Planning and Transport; and
- (iv) authorises a scheme for rationalisation of the Baldock Estate be prepared by the Director of Resources and tenants consulted prior to its implementation, and that the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Property and the Economy portfolio) be authorised to agree the termination of tenancies and payment of appropriate compensation.

3.2 The Cabinet Panel's recommendation/s to Cabinet will be reported orally at the Cabinet meeting and circulated to Members in the Order of Business sheet.

4. Background

4.1 Large areas of farmland at Baldock were purchased by the County Council in the early 1920s to develop colonies of smallholdings. The nature of the holdings has changed with many of the houses being sold off and the land merged with adjoining holdings leaving a smaller number of larger units.

4.2 In the early 21st Century, the County Council promoted part of the lands, principally those enclosed by the by-pass, for residential development to assist the supply of housing land for the area. During discussions with the Local Planning Authority regarding its development of a new Local Plan, the County Council was encouraged to revisit its original Masterplan (showing c 1000 dwellings) in view of the emerging

increase in the required housing numbers and was asked to review the possibility of promoting all of the Rural Estate property at Baldock enclosed by the by-pass and to the north of the railway line. The scheme now shows a capacity for c3300 dwellings.

- 4.3 These areas of land are let under various tenancies which will require discussions to be had with the tenants whose livelihoods will be severely impacted and in some instances completely curtailed and as such the situation needs to be managed in a sensitive manner. The majority of the tenants have been farming for many years and are unlikely to be able to start again elsewhere if dispossessed; however, by careful planning and timing of any terminations, the impact to tenants and cost to the County Council can be minimised. A clear timetable for possession is therefore essential.
- 4.4 The tenancy agreements allow the County Council to regain possession of the land for development where planning permission has been granted following the service of appropriate notices. Processes will be examined in detail in the proposed strategy document.
- 4.5 In some circumstances, statutory compensation will be payable for the loss of tenancy and tenant's improvements. Such compensation can only be fully assessed on the termination of the tenancy. It is possible early possession of the land could be obtained; but this would be through negotiation and subject to an enhanced level of compensation above the statutory levels.
- 4.6 A full strategy for enabling the Rural Estates Land will be developed by the project team with a view to keeping the land occupied and farmed until required for development giving due consideration to sensitivity and timescales.
- 4.7 The land to the North and East of Baldock forms a significant part of the Rural Estates Service in North Hertfordshire.
- 4.8 The land (including the Former Reserve School Site) at Royston Road, Baldock forms part of a larger land holding which was originally acquired for Rural Estate use. During the 1980s, land adjoining the site and known as Clothall Common was sold for residential development. This site was also taken out of the rural estate use and was allocated as a reserve one form of entry junior school site, but never developed. The site lies outside of the green belt. It is currently fallow, with no income.
- 4.9 The County Council no longer regards one form of entry schools to be viable from either a cost or community point of view and current primary school needs have been catered for by permanent school expansions. Other school sites are contained within the masterplan for the urban extensions and this site is therefore no longer required.
- 4.10 Residential use of the site has been proposed and careful attention given to development in advance of the Urban extension areas. Compatibility issues have been resolved and suitable access to the site established and a Planning Application submitted.

7. Town Planning

- 7.1 The Rural Estate Land has been allocated for development in the emerging North Herts Local Plan. The Plan is now at Examination until the end of March. Matters relating to Baldock are to be discussed at the Examination hearing session on 6 February 2018. The published timetable regarding the Local Development Scheme schedules the new Local Plan to be adopted at March 2018; however delays in the process suggest a more realistic timing of September 2018.
- 7.2 Applications for outline planning permission were submitted to NHDC for the urban extension sites on 21 December 2017. These will not be determined until the Local Plan is adopted. Please see at Appendix A the application location plan.
- 7.3 The former reserve school site (as shown in appendix B) has potential for residential development and an application for outline planning permission has been submitted to NHDC.

8. Financial Implications

- 8.1 With regard to the Rural Estate Lands, whilst a detailed valuation is not available as yet, it is anticipated that the net residual value of the land is likely to be in excess of £100m over a development period of ten years or so.
- 8.2 It is estimated that compensation payments should not exceed £250,000 compensation rates are defined by statute with regard to agricultural holdings.
- 8.3 The loss of revenue to the Rural Estates Service would be £100,000per annum
- 8.4 In respect to the estimated value of the Royston Road site, with the benefit of outline planning consent, a capital receipt is estimated at approximately £4m.

9. Equality Act Implications

- 9.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the Equality implications of the decision that they are making.
- 9.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 9.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The

protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

9.4 It is considered that there are no equalities implications arising from this report, the matter will however be kept under review.

Background Information

None.