

## **Responses to statutory notices placed proposing the development of land for affordable housing at Dane Avenue, Morritt Close and Chapelfields Road**

### **Summary**

1. At the March 13<sup>th</sup> meeting of the Executive, Members considered and approved the recommendations of a report to sell three Housing Revenue Account land sites for the development of up to 20 affordable homes at Dane Avenue, Morritt Close and Chapelfields Road
2. The sale of the sites cannot proceed without first considering any responses to statutory notices placed in the local press advertising the intention to dispose of them.
3. This report requests confirmation of the approval to sell these sites for affordable housing subject to the terms and conditions agreed at the March 13<sup>th</sup> Executive.

### **Background**

4. Following the March 13<sup>th</sup> meeting of the Executive statutory procedures laid down in the Local Government Act 1972 were followed and notices advertising the intention to sell three sites at Dane Avenue, Morritt Close and Chapelfields Road were posted in the York Press for two consecutive weeks.
5. Only the Chapelfields Road site is designated as “open space” in the Draft Local Plan but all three sites have public access and because of this it was considered good practice to advertise the intention to sell and develop them all.

### **Consultation**

6. Statutory notices were posted in the York Press on Friday 16<sup>th</sup> and Friday 23<sup>rd</sup> March. Respondents had until 5<sup>th</sup> April to make representations to the Head of Civic Democratic and Legal Services.
7. One respondent visited Legal Services to look at the site plan for the Dane Avenue scheme. No other representations were made in response to the notices placed in the Press.

8. However, a letter from Hugh Bayley MP to the Director of Housing and Adult Social Services was received on 10<sup>th</sup> April. The letter is not in direct response to the statutory notices, but includes a petition titled 'Petition of residents against the proposed new housing development in Morritt Close' signed by 31 residents of Morritt Close.
9. Hugh Bayley's office were immediately advised of the deadline (12<sup>th</sup> April) if they wished an elected Member to present this petition to the Executive. At the time of writing this report it is not known if the petition will be presented.
10. However, of the 31 signatories on the petition, 18 had also replied to a consultation letter sent to them in early February and their comments were included (with officer responses) in the March 13<sup>th</sup> report to the Executive.

## **Options**

11. There are two options presented for consideration:

Option One: To confirm approval for the development of the three sites for affordable housing on the terms and conditions agreed at the March 13<sup>th</sup> meeting of the Executive – this is the recommendation of this report.

Option Two: To reconsider the previous approval of the March 13<sup>th</sup> Executive.

## **Analysis**

12. The approval in principal for the sale of these sites was granted at the March 13<sup>th</sup> Executive. The lack of any direct public representations/objections following the posting of the statutory notices in the press suggest there are no reasons to re-consider the approval. It is worthwhile emphasising that development proposals for each site will also be subject to statutory consultation through the planning process.

## **Corporate Priorities**

13. Enabling the building of 200 affordable homes in York each year is an agreed action in the Council Plan 2006 - 2007 and is highlighted as a priority in the council's 2006-2009 Housing Strategy. The proposed developments will also contribute to the council's 2006 – 2009 Corporate Priorities including:
  - Improve the actual and perceived condition and appearance of the city's streets, housing estates and publicly accessible spaces.
  - Improve the life chances of the most disadvantaged and disaffected children, young people and families in the city
  - Improve the quality and availability of decent affordable homes in the city.

## **Implications**

14. Except for those indicated below there are no further implications to those already identified in the Executive report of 13<sup>th</sup> March.

15. **Financial.** The cost of posting the statutory notices will be accommodated from existing Housing Revenue Account budgets.

### **Risk Management**

16. The risks associated with the sale and development of the three sites remain as described in the March 13<sup>th</sup> Executive report. Following the posting of the statutory notices and the lack of representations made, the risk of the sites not being developed rests largely on not obtaining an acceptable planning approval for any or all of them.

### **Recommendations**

17. The Executive is recommended to approve Option One of this report.

Reason: To confirm approval for the development of the three sites for affordable housing on the terms and conditions agreed at the March 13<sup>th</sup> meeting of the Executive.

### **Contact Details**

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**Report Approved**  **Date** 10th April 2007

### **Specialist Implications Officer(s)**

**Financial:** Debbie Mitchell, Head of HASS Finance. Tel 554161

**Legal:** John Smales, Senior Solicitor, Chief Executives. Tel 551046

**Wards Affected:** Acomb, Heworth, Westfield

**For further information please contact the author of the report**

### **Background Papers:**

Proposed sale of Housing Revenue Account land for the development of affordable housing at Dane Avenue, Morritt Close and Chapelfields Road - Meeting of the Executive, 13 March 2007.