

North East Area Planning Committee

11 April 2007

Report of the Director of City Strategy

Clifton Hospital : Outstanding Section 106 in relation to Management of the landscape.

Summary

1. This report details the current status of the outstanding Section 106 in relation to Clifton Hospital. Members are asked to note the contents of the report.

2. Background

2.1 Clifton Hospital was closed in 1991 and outline consent was granted by Ryedale District Council in 1994 for the redevelopment of the site. This consent was subject to a Section 106 agreement between the then owner, the Area Health Authority, and Ryedale District Council. Following Government reorganisation in 1994, the area was passed to the City of York Council for determination of any detailed consents. Following an application from Persimmon's and Henry Lax Ltd., a detailed consent was granted in 1996 and work is ongoing. The consent granted was subject to the original Section 106 agreement and is binding on successors in title.

2.2 The Section 106 included a number of conditions relating to the parkland to the south of the main hospital, which was originally part of the hospital grounds and is currently part of the green belt. Its inclusion was in part to ensure that this area remained as green belt and was managed to retain this interest.

2.3 The land has remained in the ownership of Henry Lax and Persimmon's.

The Section 106 Agreement

2.4 There were a number of conditions relating to the area of parkland, including a requirement to transfer 1ha of land at the southern end of the site to the Council for £1.

2.5 In Feb 2006 a report was taken to Executive Committee with regard to the transfer of this open space to the Council. This transfer was approved and is being progressed with the Council's Legal Team.

2.6 There are though still several outstanding issues including the submission of a landscape plan and five year management plan for the site, implementation of these plans, the establishment of a new footpath link from Shipton Rd to the Ouse cycleway and the clearance and maintenance of the old sewage works site to the Council's satisfaction.

2.7 This report updates Members of their status.

Update 2007

- 2.8 With regard to legal matters, besides the land transfer, the proposed footpath link is also with the Council's Legal section for a formal creation to be made. The work necessary to form this route has though already been carried out and is in use.
- 2.9 With regard to the management plan and its implementation, nothing has yet been formally received, however, land management following the prescription set out by the Council's Countryside Officer in 2004 is now being implemented on an annual basis under the supervision of the Countryside Officer. As a result the area has been tidied up substantially, the grass has been managed and, importantly, the ragwort (a noxious weed) has been controlled. This will be the 3rd year of this control and it is hoped that the quantity present will now be substantially reduced. The patches of Japanese Knotweed have also been managed.
- 2.10 Further work on the restoration of the old sewage works site have also been carried out but there are final reinstatement issues that still need to be done in order to bring the area to a standard where it can be managed properly. This includes removal of rubbish and surface debris to allow proper seeding to occur. Discussions on this are still pending for resolution this year.
- 2.11 Other work that is still pending is the limited tree planting work for the agreed area. This should have been carried out this winter but the Council's Countryside Officer unfortunately has not arranged it. A review will though be required as a number of trees have died or been cut down over this winter.

Consultation

- 3. The Clifton Without Parish Council were consulted on the original management proposal and are kept informed of what is happening on the site.

Analysis

- 4.1 The Section 106 agreement for Clifton Hospital has still not yet been fully implemented, at least in formal terms, however, substantial progress has been made and there are now only a relatively few issues still outstanding. Notably the final reinstatement of the old sewage treatment plant and the formal submission of a management plan.
- 4.2 With regard to the management plan, although there is nothing formally agreed, we are working to the main elements of agreed proposals and there are only limited prospects in being able to justify much more than we are implementing. The intention is therefore to try to get this formalised before June.
- 4.3 With regard to the sewage treatment plant, this is likely to be the most difficult to resolve, however, discussions are ongoing with a view to finally sorting this out in the coming year.
- 4.4 For the most part therefore the bulk of the Section 106 is now either resolved or in hand.

Corporate Objectives

- 5.0 The management of this site ensures that the green separation between Clifton Without and Clifton is retained.

Implications

- 6.1 There are no financial implications with regard to this report.
- 6.2 There are no equality implications.
- 6.3 Human Resources implications are limited to the time spent by the Countryside Officer in organising and supervising the management of the Clifton Hospital site.
- 6.4 There are no legal, Crime and Disorder or IT Implications with regard to this report.
- 6.5 The property implications were dealt with within the report regarding the transfer of land to the Council in Feb 2006.

Risk Management

7. There are no known risks with regard to the implementation of the proposals on the Clifton Hospital site.

Recommendations

8. Members are requested to note the progress made with regard to the completion of the Section 106 agreement and the ongoing work still required in order to achieve a satisfactory conclusion to this long standing case.

Reason: To update Members on progress with the Section 106 agreement conditioned as part of the planning application for the Clifton Hospital site.

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Report Approved

Date 29/03/07

Specialist Implications Officer(s) List information for all
Implication ie Financial
Name
Title
Tel No.

Implication ie Legal
Name
Title
Tel No.

Wards Affected: Skelton, Rawcliffe and Clifton Without

All tick

For further information please contact the author of the report

Background Papers:

Joint Report of the Directors of Development Services and Leisure Services to the Executive Committee 1st Feb 2006 on the Acquisition of Land at Clifton Hospital.