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## East Area Planning Committee

Feb 2009

Report of the Director of City Strategy

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

#### **Summary**

1. This update details the discussions that have taken place with regard to the outstanding Section 106 issues in relation to Clifton Hospital. Members are asked to note that a number of meetings have taken place and that progress has been made in finalising the Section 106.

A report was requested for Jan 2009 to update members on the progress made although it is anticipated that final work will not be completed until summer 2009.

#### **2. Background**

- 2.1 A report was prepared in April 2008 with regard to the current status of the outstanding Section 106 Agreement on the old Clifton Hospital Site. It was reported that no progress had been made with Persimmon's with regard to the outstanding issues on the Section 106.

- 2.2 It was agreed that unless progress was made, enforcement action would be taken.

#### **3. Consultation**

- 3.1 A number of further discussions with Persimmon's have taken place.
- 3.2 The Ward Member and Clifton Parish Council have been kept informed of these discussions.

#### **4. Analysis**

##### ***Update Aug 2008***

- 4.1 With regard to the footpath, the Council's dedication procedures are currently underway. No surfacing work is required for this route and all necessary furniture has been in place for a number of years.
- 4.2 The dedication of the land is currently with the Council's legal section and is being progressed in conjunction with Persimmon's Solicitors.

- 4.3 The final reinstatement of the old sewage works site has been agreed and the Council's countryside officer has been asked to initiate the work but Persimmon's will implement all the works other than the seeding. The proposal is to cut the vegetation, spray the area with a total herbicide, do a final clearance of any debris, lightly harrow the site and then seed with a wild flower mix to create a wildflower area. It is intended that a locally sourced green hay is to be used and the majority of the work will therefore be carried out from April to prepare the area for seeding in July/Aug. 2009. A plan of the proposed work will be tabled at the meeting.
- 4.4 The copse at the end of Matrons Walk has been inspected and, whilst some of the trees are not in good condition, no further tree work is proposed at present. Some replacement planting is proposed for this month to begin to re-establish the avenue.
- 4.5 With regard to the management plan, an outline of proposed works has been supplied and the Council's Countryside Officer has discussed this with Persimmon's. The work includes the continued management of the hayfield by haycropping or topping, dependent on whether gypsy horses are grazing the fields, continued ragwort control, inspection and maintenance of trees, limited replacement planting of standard trees on the ridge and furrow field to retain the parkland character, orchard management and regular inspection and clearance of any litter or flytipping that may be present. It is proposed to leave the hedges to grow on but will be monitored to ensure that the overall integrity of the hedges are retained. This is broadly in line with its current management.
- 4.6 Some slight amendments are proposed to leave some areas of grass long to retain winter feeding sites for birds including Reed bunting, a species on the declining bird list that roosts in considerable numbers here. This is similar to the proposal referred to in the report of Sept 2008 where the area between the flood bank and the YW access was proposed to be managed by cutting on a 2 yearly basis for nature conservation purposes.
- 4.7 At the present time, it is not proposed to try to introduce fencing and grazing because of the difficulties imposed by access and existing site conditions. However, the ditches will be reformed where necessary to ensure that access is restricted to pedestrians only.
- 4.8 The proposal to also include the sewage works area once it has been reinstated and the balancing pond in the transfer of the open space land to the Council is still being considered but is in part dependent on ongoing discussions with YW. These would both be low maintenance areas but of considerable value for nature conservation purposes.
- 4.9 This will still be considered separately to the work required to conclude the Section 106 but is of some interest. A further report will be prepared with regard to this proposal in due course.
- 4.10 However, Persimmons have also suggested that the Council may wish to consider purchasing the whole of the site for a peppercorn sum as opposed

to; and this may supersede, the earlier suggestion that Clifton Without Parish Council may wish to lease the whole site to manage it for the community.

- 4.11 I understand that this later suggestion has not yet been progressed.
- 4.12 A formal proposal from Persimmon has been requested but the implications with regard to the Council taking over the land will be considered and a report prepared if the matter is to be progressed, however, any views from members would be appreciated.
- 4.13 The requirements to conclude the Section 106 will be continued regardless of this proposal.

## **5.0 Corporate Objectives**

- 5.1 The management of this site ensures that the green separation between Clifton Without and Clifton is retained. Its management is therefore important in order to retain this separation in good condition. The site also has some Nature Conservation and Landscape value and assists in fulfilling the Councils duties with regard to the Natural Environment and Rural Communities Act.

## **6.0 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 06.

## **7.0 Risk Management**

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

## **8.0 Recommendations**

- 8.1 Members are requested to note the progress made with regard to the completion of the Section 106 agreement and the work still required in order to achieve a satisfactory conclusion to this long standing case.
- 8.2 No enforcement action is currently considered necessary.

8.3 A report be prepared in due course when the management plan has been finalised.

### Contact Details

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**Specialist Implications Officer(s)** List information for all

Implication ie Financial  
Name  
Title  
Tel No.

Implication ie Legal  
Name  
Title  
Tel No.

**Wards Affected:** List wards or tick box to indicate all

**All**

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

### Background Papers:

East Area Planning Committee Sept 2008 - Clifton Hospital : Outstanding Section 106 in relation to Management of the landscape.

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