



DERBY CITY COUNCIL

**COUNCIL CABINET**  
**14 JUNE 2005**

Report of the Director of Policy

## **Disposal of land at Leytonstone Drive, Mackworth**

### **RECOMMENDATIONS**

- 1.1 To authorise the Director of Corporate Services to dispose of land at Leytonstone Drive, Mackworth.
- 1.2 To determine that any proceeds from the sale should be earmarked specifically for affordable housing and / or regeneration projects. The proceeds would therefore be added to the 'Capital Allowance' for the purpose of Regulation 16 of the Local Authority (Capital Finance and Accounts) (England) Regulations 2003.
- 1.3 To refer the report to the Community Regeneration Commission.

### **REASON FOR RECOMMENDATIONS**

2. Marketing the site will enable its future use to be resolved.

### **SUPPORTING INFORMATION**

#### **Report**

- 3.1 The site currently contains a timber building, which is being used by the Kaleidoscope Players for storage of theatrical props and scenery; prior to this the building on the site was used as a Scout Hut. The site will become vacant in the near future. A map is attached at Appendix 2.
- 3.2 Over the last 18 months, we have been pursuing the option of an affordable housing scheme being developed on the site. Facilitation Fund Funding to enable a scheme to be developed by Raglan Housing Association, to provide eight properties – four one-bed flats and four two-bed houses – for rent.
- 3.3 An affordable housing scheme of this nature would help to meet the housing needs in both Mackworth, which is a popular residential area, and also the wider city.
- 3.4 During the time that the Council has been pursuing the affordable housing scheme, a group of Jehovahs Witnesses have also expressed interest in the site.

## Planning

- 3.5 The established use of the site for planning purposes is for Community Use, which is covered by Policy C3 in the adopted City of Derby Local Plan. The effect of this Policy is that planning permission for any development, including change of use, which involves the loss of community facilities will not be granted unless one or more of a number of conditions is met. These include that there is shown to be no need or demand for its use as a community facility.
- 3.6 In the context of the site, because of the expressions of interest by the group of Jehovah's Witnesses, any planning application for residential use at the present time would contravene Policy C3. In addition, there is also a Community Strategy policy to develop and extend the provision of multi-faith and minority faith facilities and involvement in the city.
- 3.7 It is anticipated that the building of a Kingdom Hall on the site would require planning consent.
- 3.8 It therefore appears that the best way to resolve the future of the site is to market it for community use, to see if there is a demand for this use. If the marketing exercise shows that there is no demand for community use on the site, we can take forward the affordable housing proposals.

## Consultation

- 3.9 Ward councillors were consulted prior to the affordable housing proposals being developed and were in favour. They are also supportive of the proposal to market the site for community use.

## OTHER OPTIONS CONSIDERED

- 4.1 Social Services have previously expressed an interest in this site for a supported living scheme, but have now concluded that this site is no longer suitable.
- 4.2 Sure Start has recently considered the site as the location for a crèche and play facilities, with ancillary accommodation, but has now decided not to pursue this option.

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**Background papers:** None other than those in the public domain  
**List of appendices:** Appendix 1 – Implications  
Appendix 2 – Map of the site

## IMPLICATIONS

### Financial

- 1.1 The sale of the site at Leytonstone Drive will potentially generate a capital receipt to the Council. The land is held within the Housing Revenue Account, and so 100% of this receipt will be useable for affordable housing and/or regeneration projects under the amended rules on the use of receipts stemming from the disposal of housing land. Use for any other purpose would require a payment to the Government of 50% of the receipt.
- 1.2 The site is classified as Brownfield. The Council is committed to developing on Brownfield sites and has set a Local Public Service Agreement target of increased development on Brownfield sites. The redevelopment of this site will contribute to the achievement of this target, contingent on which is access to additional Council funding at the end of the LPSA period.

### Legal

2. The Local Authorities (Capital Finance) (Amendment) (England) Regulations 2003 introduced revised set aside provisions for capital receipts from disposal of housing land other than through the Right to Buy or stock transfer.

### Personnel

3. None directly arising.

### Equalities impact

4. None directly arising.

### Corporate objectives and priorities

- 5.1 The proposal comes under the Council's objectives of **healthy, safe and independent communities** and **a shared commitment to regenerating our communities**.
- 5.2 The proposal also assists the Council to achieve the LPSA target for the development of Brownfield sites, and the Community Strategy policy to develop and extend the provision of multi-faith and minority faith facilities and involvement in the city.



