

## **Report to the Cabinet**

**Report reference:** C-20-2013/14

**Date of meeting:** 22 July 2013



**Epping Forest  
District Council**

**Portfolio:** Asset Management and Economic Development/Housing

**Subject:** Acquisition of 79 Pyrles Lane, Loughton

**Responsible Officer:** Chris Pasterfield (01992 564124).

**Democratic Services Officer:** Gary Woodhall (01992 564470).

### **Decisions Required:**

**(1) To approve a virement of £15,000 within the Housing Developments budget to facilitate the purchase of the freehold 79 Pyrles Lane, Loughton for £250,000.**

### **Executive Summary:**

On 27 September 2011 the Council agreed a supplementary capital estimate of £239,000 for the purchase of 79 Pyrles Lane, Loughton, being £235,000 plus legal costs of £4,000, to assist with the sale of Pyrles Lane Nursery for residential development. A planning application for the residential development was refused on 15 May 2013 by the Area Planning Subcommittee South. To address the reasons for refusal it is intended to proceed with the purchase.

Since September 2011 the price of residential property in this area has risen and the vendor has agreed a revised purchase price of £250,000 plus legal costs. Authority is therefore sought to vire the £15,000 from the housing new build budget.

### **Reasons for Proposed Decision:**

To address the reasons for refusal of the planning application for a residential development in order to facilitate the sale of Pyrles Lane Nursery thereby obtaining a capital sum for the Council.

### **Other Options for Action:**

Not to purchase 79 Pyrles Lane, Loughton, but this would reduce the Council's ability to address the planning reasons for refusal and would adversely impact on the Council's ability to obtain best value for the site.

### **Report:**

1. The Council is the freehold owner of the Pyrles Lane Nursery site which is currently occupied by the Nursery Service within Grounds Maintenance.

2. The site is approximately 1.89 acres in size and with residential planning approval would be a very valuable capital asset for the Council which could be sold immediately or at a time in the future when it is considered that there is a high demand for the site.

3. It is currently proposed that the Nursery Team be relocated to the new depot to be constructed at the Oakwood Hill Industrial Estate or in accordance with the outcome of the waste contract procurement – should that produce a different outcome.

4. An outline scheme for residential development was submitted to Area Plans Sub – Committee South and was refused on 15 May 2013.

5. One of the reasons for refusal concerned the access road. Although the existing access road is wide enough to meet the County Council's highway requirements a wider road is needed to address this reason for refusal. Furthermore controlling this site may well prove more attractive to prospective developers as it is inevitable that there will be some disturbance and noise during the construction. This will reduce conflict and create a buffer between the construction site and other properties.

6. The owner of 79 Pyrles Lane had expressed a willingness to dispose of her property to the Council by way of a private sale and as at September 2011 the owner would have accepted £235,000 plus legal costs.

7. Since September 2011 the price of residential property in this area has risen and the owner has agreed a revised purchase price of £250,000 plus legal costs. This is considered fair and reasonable.

8. There is sufficient money within the Housing Developments budget to cover the additional £15,000 required to complete the purchase but a virement is required.

#### **Resource Implications:**

The capital programme for the Housing Revenue Account for 2013/14 includes an amount of £1.093 million for Housing Developments. This comprises of £239,000 for 79 Pyrles Lane and £854,000 for housing new build schemes. The latest cash flow forecasts provided by the Council's Development Agent for the Housebuilding Programme have established that the budget provision for 13/14 is now higher than is needed and it is unlikely that £854,000 will now be required in 2013/14. The capital programme over the next four years includes £11.4 million for housing new builds but this total is based on initial estimates that will be developed as the schemes progress. Using £15,000 from the new build budget at this time to support the purchase of 79 Pyrles Lane, which will become an HRA property, will not inhibit the new build programme.

Payment of an additional £15,000 of capital cost from within existing resources.

#### **Legal and Governance Implications:**

It is necessary to seek approval as although the money is available financial regulations must be observed and to date Members have only approved a purchase price of £235,000.

#### **Safer, Cleaner and Greener Implications:**

None at this time.

#### **Consultation Undertaken:**

None.

**Background Papers:**

Previous Cabinet and Council reports agreeing the purchase in principle.

**Impact Assessments:**

Risk Management

By acquiring this property the Council reduces the risk of being unable to satisfy the Member determined planning requirements which are currently preventing the development of Pyrles Lane Nursery.

Equality and Diversity

*Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?* No

*Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken?* No

*What equality implications were identified through the Equality Impact Assessment process?*  
N/A.

*How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?*  
N/A.