

**CABINET
7 FEBRUARY 2023**

LAND AT BLACKWELL – PROPOSED DEVELOPMENT AND PARKLAND RESTORATION

**Responsible Cabinet Member –
Councillor Jamie Bartch, Economy Portfolio
Councillor Scott Durham, Resources Portfolio**

Responsible Director – Ian Williams, Chief Executive

SUMMARY REPORT

Purpose of the Report

1. To present to Members the parkland restoration plan shown at **Appendix 1** so that a planning application can be submitted for these proposals and for new housing on site 403, shown circled in red on the plan at **Appendix 2**.
2. To note the intention to sell site 403 to the Council's Joint Venture vehicle (to be established subject to a further cabinet report and approvals) on the terms and conditions detailed in **Appendix 3** of this report.
3. Members to note that a further Cabinet report will be prepared for Members identifying the net capital receipt for the Council, seeking final approval to establish the new Joint Venture Company and for approval to funding arrangements for the housing development and parkland restoration plan. No disposal of the land will take place until further approval from Cabinet has been obtained.

Summary

4. Cabinet Approval was obtained on 22 June 2022 for the disposal of circa. 5.2 Hectares (13 acres) of land with the intention that a new Joint Venture company (formed in conjunction with the Councils joint venture partner Esh) would develop it. Approval was also obtained for the funding of feasibility work to develop plans for a parkland restoration scheme and to engage the services of Esh Homes Limited to develop appropriate plans and designs for a planning application.
5. Feasibility work and plans for the parkland restoration scheme have now been completed. It is proposed that the new Joint Venture company would be responsible for delivering the parkland restoration plan and it is intended the restoration works would be funded from the sale of site 403. Once costs have been finalised this will be included in a subsequent Cabinet approval.

6. A planning application for site 403 and the parkland restoration is proposed to be submitted. Through the planning process, the public and residents will be able to comment in the normal manner. Initial engagement with local members and interest groups have commenced with favourable feedback. The Economy Portfolio Holder would like to thank the Park West Ward Councillors for their support, and it is anticipated that local members will arrange further engagement exercises with residents.

Recommendations

7. It is recommended that Cabinet:
 - (a) Supports the submission of the parkland restoration plan and new housing on site 403, within a planning application as shown at Appendix 1.
 - (b) Notes the principle and intention that site 403 will be sold to a new Joint Venture company on terms and conditions outlined in Appendix 3 which will be subject to a further Cabinet report on funding once all costs have been determined.
 - (c) The Chief Executive to have delegated authority to prepare the terms of the disposal, in consultation with the Portfolio Holders and the details will be reported back in due course.
 - (d) The Assistant Director – Law and Governance be authorised to execute the necessary documents to facilitate future development.

Delegations

8. Delegation authority to the Chief Executive as detailed in para 7(c) above.

Reasons

9. The recommendations are supported by the following reasons:-
 - (a) To contribute to the delivery of new housing to satisfy the Borough's housing need and to provide for restoration of the parkland area.
 - (b) To enhance a public space for the benefit of residents and wildlife.
 - (c) To achieve a capital receipt for the Council and increased Council Tax receipts from new executive homes.

Ian Williams
Chief Executive

Background Papers

No background papers were used in the preparation of this report.

S17 Crime and Disorder	The report has no implications for crime and disorder
Health and Wellbeing	The report has no implications for health and well being
Carbon Impact and Climate Change	Nutrient Neutrality and biodiversity loss mitigation are addressed in the proposals
Diversity	No impact
Wards Affected	Park West
Groups Affected	Persons who visit the parkland at Blackwell Grange
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	There are no issues adversely affecting the Council Plan
Efficiency	An investment return from the JV will help the Council's MTFP position.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

10. Homes by Esh Limited and the Council have undertaken the necessary survey work on site 403 in order that a site layout plan for the residential development on the circa. 5.2 Hectares (13 acres) and the parkland restoration plan are ready for submission of a planning application.
11. The sale of site 403 is required to provide new executive homes and also to fund the parkland restoration plan and its future maintenance.
12. The parkland proposals will aim to retain the openness and green infrastructure functions so their relationship and importance to the character of Darlington is protected and enhanced.
13. A further cabinet report will be submitted seeking Members' approval to the establishment of a new Joint Venture Company following the planning process.

Financial Implications

14. It is proposed that the landscape restoration works as set out in Appendix 3 of the report, are to be funded from the capital receipts as the site is developed.
15. The expected capital receipt for the Council is not yet known – this will be provided in a subsequent report which will seek authorisation to form a new Joint Venture company with the Council's joint venture partner (Esh).

16. The ongoing maintenance arrangements for the parkland once completed and site 403 have currently not been finalised. The proposed arrangements and costs will be reported back to Cabinet for approval prior to the disposal of the land.

Legal Implications

17. Under the provisions of the Local Government Act 1999 the Council is subject to a general duty to obtain 'best value' in the exercise of its functions.

Estates and Property Advice

18. It is intended that one planning application is submitted for both schemes and that the works are undertaken in accordance with detailed contracts to protect the Council's position.

Procurement Advice

19. All procurement activity will be undertaken in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

Carbon Impact and Climate Change

20. The parkland restoration is expected to have a positive impact on the land.

Consultation

21. Some initial engagement on the proposals has taken place but further consultation will be undertaken through the normal planning process.