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To: Councillor Gilby

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14 October 2014

Dear Councillor,

Please attend a meeting of the **DEPUTY LEADER AND EXECUTIVE MEMBER FOR PLANNING - EXECUTIVE MEMBER DECISION** to be held on **TUESDAY, 21 OCTOBER 2014** at 11.30 am in Committee Room 3, Town Hall, Chesterfield, the agenda for which is set out below.

AGENDA

1. Declarations of Members' and Officers' Interests relating to items on the agenda
2. Proposed Visibility Splay Easement over Land adjacent Sandpiper Hotel, Sheffield Road (J410L) (Pages 1 - 4)

Yours sincerely,

Local Government and Regulatory Law Manager

Chief Executive
Huw Bowen



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**PROPOSED VISIBILITY SPLAY EASEMENT OVER LAND
ADJACENT SANDPIPER HOTEL, SHEFFIELD ROAD.
(J410L)**

MEETING: DEPUTY LEADER AND EXECUTIVE MEMBER
FOR PLANNING

DATE: 21 OCTOBER, 2014

REPORT BY: KIER ASSET MANAGEMENT

WARD: OLD WHITTINGTON

**COMMUNITY
ASSEMBLY:** NORTH

**KEY DECISION
REFERENCE:** N/a

FOR PUBLICATION

1.0 PURPOSE OF REPORT

1.1 To seek Executive Member approval to grant a Visibility Splay Easement over Council land adjacent to the Sandpiper Hotel, Sheffield Road, Chesterfield. The Council's land ownership is shown hatched with the proposed visibility splay shown shaded black on the attached plan.

2.0 RECOMMENDATIONS

2.1 It is recommended that Executive Member approves the granting of a Visibility Splay Easement over Council land adjacent to the Sandpiper Hotel, Sheffield Road, Chesterfield.

3.0 BACKGROUND AND PROPOSAL

3.1 Planning permission has been granted to Chartwade Property Ltd and the Old Spinner Ltd to develop their land to the north of the Sandpiper Hotel, Sheffield Road to provide additional accommodation for the Hotel. The development includes a new access off Sheffield Road, but a planning condition requires them

to construct a visibility splay to the north of the proposed access. The land to the north falls within land owned by the Council.

3.2 The Council land is part of a riparian woodland (woodland found in association with a watercourse). The land is within the Green Belt and therefore development potential is very limited. Any future access on to the Council land could be taken across this visibility splay.

3.3 The developer will be responsible for future maintenance of the visibility splay.

3.4 A consideration of £750.00 plus the Council's legal fees and Surveyor's fees have been agreed for the easement.

4.0 CORPORATE ISSUES

4.1 In writing this report we have considered the following standard corporate issues:

- Capital or revenue implications
- Equalities issues
- Legal and human rights issues
- Property issues.
- Risk Management

5.0 CAPITAL OR REVENUE IMPLICATIONS

5.1 At present the land does not produce any income.

5.2 A consideration of £750 has been agreed for the easement, subject to approval.

5.3 In addition, the developer will pay the Council's Legal fees and Surveyor's fees.

6.0 EQUALITIES ISSUES

6.1 There are no equalities issues

7.0 LEGAL AND HUMAN RIGHTS ISSUES

7.1 There are no legal and human rights issues

8.0 PROPERTY ISSUES

8.1 Development of the Council owned land is significantly affected by the Green Belt allocation and the riparian woodland. Any future access on to the Council land could be taken across this visibility splay or from an alternative location. We therefore do not believe there is any detriment in granting the easement.

9.0 RECOMMENDATION

9.1 It is recommended Executive Member approves the granting of the Visibility Splay Easement over Council land adjacent to the Sandpiper Hotel, Sheepbridge.

10.0 REASONS FOR RECOMMENDATION

10.1 The easement will provide a one off payment of £750 and will allow development to take place. The developer will be responsible for future maintenance.

Further information on this report can be obtained from Hilary Youde on 5804

File Ref E992

Officer recommendation supported/not supported/modified as below or Executive Member's recommendation/comments if no officer recommendation.

Signed

Executive Member

Date

Consultee Lead Member/Support Member comments (if applicable)/declaration of interests

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