

## **FOR PUBLICATION**

### **Adoption of Public Open Space at Martindale Close, Middlecroft (HW000L)**

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MEETING: Cabinet Member for Health and Wellbeing

DATE: 11 October, 2017

REPORT BY: Commercial Services Manager

WARD: Middlecroft and Poolsbrook

KEY DECISION REFERENCE (IF APPLICABLE): N/A

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FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS:

TITLE: LOCATION:

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#### **1.0 PURPOSE OF REPORT**

- 1.1 To seek approval from the Cabinet Member for Health and Wellbeing to adopt a piece of public open space at Martindale Close, Middlecroft.

#### **2.0 RECOMMENDATION**

- 2.1 That the Cabinet Member for Health and Wellbeing approves the adoption of public open space at Martindale Close, Middlecroft on the basis as set out in this report.

### **3.0 BACKGROUND**

- 3.1 Planning permission was granted for the residential development of the former Peter Blakes car sales site in May 2003. A location plan showing the location of the public open space is attached at **Appendix A**.
- 3.2 Approval was given to construct 43 dwellings served off a single access road from the A619 Chesterfield Road.
- 3.3 The planning application for the site included a requirement for an area of public open space. The public open space has at its focus a large lime tree that is protected by a tree preservation order. A photograph illustrating the layout of the public open space is attached at **Appendix B**.
- 3.4 Prior to the new dwellings being built a full remediation of the site took place. The remediation included:
- Removal of contaminated soils from the site
  - Removal of underground storage tanks, including storage tank, pipework and contaminated surrounding ground.
  - Topsoil cleaned and a capping layer provided to the garden areas and the public open space.
- 3.5 The location of the public open space is considered to be appropriate. The area is overlooked by nine properties and therefore natural surveillance is at an appropriate level. There are no recorded incidences of anti-social behaviour at the site.
- 3.6 The adoption of the public open space was not covered by a section 106 agreement and the developers indicated that they would negotiate directly with the Head of Leisure over its adoption and future maintenance. Despite this the public open space has been maintained by the Councils street scene teams since its completion in 2005.

### **4.0 PROPOSAL**

- 4.1 Avant Homes have approached the council to formally adopt the public open space.

- 4.2 Avant Homes have recently undertaken tree works to the large lime tree on site under the direction of the council's tree officer.
- 4.3 It is proposed that the council adopt the public open space to secure its future use.
- 4.4 The public open space has been maintained by the Councils street scene teams since its completion in 2005.

## **5.0 FINANCIAL CONSIDERATIONS**

- 5.1 A contribution of £4,300.00 towards the future maintenance of the site has been received from Avant Homes.
- 5.2 It is estimated that the large lime tree on site will grow for another 50 years before it becomes a problem to dwellings nearby. At our current rates for tree works it would cost £300.00 to remove the tree from the site.
- 5.3 Our current annual costs associated with maintaining the site are estimated at £160.00. At current costs the contribution received from Avant Homes would fund maintenance at the site for a 25 year period.

## **6.0 RECOMMENDATION**

- 6.1 That the Cabinet Member for Health and Wellbeing approves the adoption of public open space at Martindale Close, Middlecroft on the basis as set out in this report.

## **7.0 REASONS FOR RECOMMENDATION**

- 7.1 To formally adopt the public open space and secure its future use.

Further information about this report can be obtained from John Ramsey, Principal Green Space Strategy Officer on extension 5097.