



## North Devon Council

Report Date: Monday, 1 July 2024

Topic: Site at South View, Bratton Fleming

Report by: Helen Bond, Property Manager

### 1. INTRODUCTION

- 1.1. This report relates to a site disposed of as a surplus asset in October 2014, the subject site was a small garden plot adjacent an area of open space still owned by North Devon Council (NDC). The site was subject to an overage provision for an uplift in value once developed. There is now a 4 bedroomed house, partially completed, on the garden plot.
- 1.2. An earlier report was presented to Strategy and Resources in June 2023 with regard to the overage provisions on the site and vehicular access and parking.
- 1.3. Members resolved at the June 2023 Committee that the current owner pay £5,000 to release the overage and a sum of £50,000 for the right to create a vehicular access and parking to the property, this being by granting a right of way, the route of which was at the discretion of Council Officers.
- 1.4. Following that decision, the site owner reverted back to the Property Manager requesting an additional area for parking be agreed in order for them to be able to dispose of the 4 bedroomed property being built on this site.

### 2. RECOMMENDATIONS

- 2.1. That members approve the payment of £60,000.00 to release the overage and grant a right to create a vehicular access to the subject property with an additional defined area of the Councils' adjacent site for parking.

### 3. REASONS FOR RECOMMENDATIONS

- 3.1. With reference to the recommendations in the previous report, the additional payment of £5,000.00 above the £55,000.00 previously offered provides a sufficient payment to allow for the parking spaces allocated to the property, and concludes this long outstanding matter.
- 3.2. As was stipulated by the Ward Member and Property Manager, subject to Planning Permission being granted for the access and parking, in principle the proposal was acceptable subject to Strategy and Resources Committee approval. Planning Permission was granted at Planning Committee on the 5<sup>th</sup> June 2024. [78375 Planning Report \(northdevon.gov.uk\)](https://www.northdevon.gov.uk/78375-Planning-Report)

### 4. REPORT

- 4.1. We would refer to the detail in the report submitted in June 2023, which is attached herewith.





## 6. EQUALITIES ASSESSMENT

6.1. Completed and emailed to [equality@northdevon.gov](mailto:equality@northdevon.gov).

## 7. ENVIRONMENTAL ASSESSMENT

7.1. Completed and emailed to [donna.sibley@torridge.gov.uk](mailto:donna.sibley@torridge.gov.uk)

## 8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.2. The commercialisation agenda: - A capital receipt from the owner without detrimental impact to the Councils existing assets

8.3. Improving customer focus and/or – providing support to the owner of the site after an extensive period of negotiation. Potential for reputational damage if property is left empty/unsold.

8.4. Regeneration or economic development – Improved access road and parking for neighbours and the subject property

## 9. CONSTITUTIONAL CONTEXT

9.1. Article of Part 3 Annexe 1 paragraph:

9.2. Delegated power

## 10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report:  
Previous Report From 5<sup>th</sup> June 2023

[Accessible Report Template \(northdevon.gov.uk\)](http://northdevon.gov.uk)

## 12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Helen Bond, Property Manager