

## **WAVERLEY BOROUGH COUNCIL**

**EXECUTIVE – 9 JUNE 2015**

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### **Title:**

**PROPERTY MATTER - EASEMENT OF ACCESS AT RICARDO COURT, BRAMLEY**

**[Portfolio Holder: Cllr Tom Martin]**

**[Wards Affected: Bramley, Busbridge and Hascombe]**

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### **Note pursuant to Section 100B(5) of the Local Government Act 1972**

An annexe to this report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

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### **Summary and purpose:**

Authorisation is sought to enter into an easement of access across land at Ricardo Court to service a proposed new development of 24 dwellings, 15 of which will be affordable.

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### **How this report relates to the Council's Corporate Priorities:**

The grant of an easement of access for a fee ensures that Waverley obtains value for money from its land. It will also safeguard Waverley's interests in the future. The provision of extra car parking spaces on Waverley's land at Ricardo Court will mitigate the effect of the development on the surrounding area.

The agreement will permit the creation of much-needed affordable housing, as well as increasing the supply of housing in Bramley.

### **Financial Implications:**

Waverley will receive a significant amount of money for the easement as set out in the exempt annexe.

### **Legal Implications:**

Officer time and costs will be involved in drafting the Deed of Easement however Waverley's legal costs will be fully recovered from the applicant.

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### **Introduction**

1. The Council has granted outline planning permission for a development of 24 dwellings on a rural exception site adjoining Ricardo Court, Bramley. Nine of the dwellings will be for sale on the open market while the remaining 15 will be for affordable housing.

2. Vehicular access to the site is over Waverley-owned land at Ricardo Court as shown on the plan annexed. This will require an easement of access from Waverley, which will involve the payment of a fee that represents the value of the access to the development. This fee takes into account the possibility of access over Park Drive for the open market housing.
3. At present, the proposed development land is outside of the settlement envelope. There is considerable pressure to increase the number of dwellings constructed within the Waverley area. The possibility of this envelope being expanded to include this land, and beyond it, in future years cannot be overlooked.
4. Ricardo Court is situated close to Bramley Infant School. It is used by parents to park when dropping off and collecting the children. There is a serious parking issue that could be exacerbated by the development.
5. Negotiations have taken place with the developer and the agent acting for the owner of the land. A proposed agreement is set out in the (Exempt) Annexe to cover both the grant of an easement of access and the provision of an extra 11 parking spaces on Waverley's land which is to be provided by the developer and thereafter maintained by the management company associated with the new development.

**Recommendation:**

It is recommended that an easement of access be granted over Waverley-owned land as shown on the plan annexed, on the principal terms and conditions set out in the (Exempt) Annexe, with other minor terms and conditions to be negotiated by the Estates and Valuation Manager, subject to agreement by the Director of Finance and Resources

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**Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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