

REPORT FROM: CHIEF EXECUTIVE

TO: COLNE AND DISTRICT COMMITTEE

DATE: 8TH FEBRUARY 2018

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LAND AT NORTH STREET, COLNE

PURPOSE OF REPORT

To consider a request to remove the restrictive covenant from the land edged black on the plan.

RECOMMENDATION

That this Committee is recommended to agree to the request to remove the restrictive covenant.

REASON FOR RECOMMENDATION

The removal of the restrictive covenant would allow an unused area of land to be brought back into use.

BACKGROUND

1. The land is a cleared garage site which was sold by the Council in 2006 for £60,000 with outline Planning Permission for residential development. There was a restrictive covenant on the transfer that the land not be used for any trade, business or profession.
2. The land has not been developed and the owner says this is due to it not being financially viable for residential development even if he was to obtain assistance from the Councils Brownfield Sites Fund. The owner has advised that since purchasing the land there have also been issues with travellers and fly tipping.
3. The owner has requested for the restrictive covenant to be removed to allow lock up units to be built on the land to rent out to local businesses, subject to Planning Permission. The Councils Planning Department have confirmed there are no specific restrictions which would prevent such a use.

ISSUE

4. The land has been unused for some time and there have been issues during the period it has been undeveloped. Removal of the covenant would provide an alternative use which may be

financially viable and allow the land to be brought into use.

IMPLICATIONS

Policy: No policy implications are considered to arise directly from this report.

Financial: No financial implications are considered to arise directly from this report.

Legal: No legal implications are considered to arise other than those set out in the report.

Risk Management: No implications are considered to arise directly from this report.

Health and Safety: No implications are considered to arise directly from this report.

Climate Change: No implications are considered to arise directly from this report.

Community Safety: The removal of the covenant and development of the land will result in a reduction in fly tipping in the area.

Equality and Diversity: No implications are considered to arise directly from this report

APPENDICES

Location plan

LIST OF BACKGROUND PAPERS

None