

Report of	Meeting	Date
Director of Planning and Development	Council	Tuesday, 25 January 2022

## Land Purchase to extend Yarrow Valley Country Park

Is this report confidential?	No
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Is this decision key?	Not applicable
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### Purpose of the Report

1. To seek approval to purchase land off Burgh Lane adjacent to Yarrow Valley Country Park for the purposes of biodiversity net gain and to increase the land mass of the Country Park.

### Recommendations to Council

2. It is recommended to establish a budget and to purchase the land off Burgh Lane to encompass it into Yarrow Valley Country Park for the purpose of tree planting and habitat protection at a cost of £250,000 funded through borrowing.

### Reasons for recommendations

3. A report brought to Exec Cabinet on the 11 Nov 2021 gave approval to negotiate the purchase of approx. 36 acres of land off Burgh Lane to encompass it into Yarrow Valley Country Park for the purpose of tree planting and habitat protection at a cost of £288,500 funded through borrowing. The seller has since withdrawn a parcel of land from the sale and negotiations have finally agreed a sale price of £250,000 for approximately 30 acres of land.
4. This land purchase will increase the land mass of Yarrow Valley Country Park for benefits to the residents of Chorley and contribute to local nature recovery
5. To facilitate the planting of 10,000 trees
6. To contribute to Biodiversity Net Gain and carbon offsetting using Council land assets.
7. To ensure that this land is maintained and protected by Chorley Council for the long-term future.

### Other options considered and rejected

8. To not submit an offer to acquire the land and allow a developer or other landowner to purchase the land. This was rejected as Chorley Council own the land adjacent and already play a role in the management and maintenance of this land asset owing to the proximity of adjoining land, path linkages and access. Chorley Council can utilise this land resource to contribute to biodiversity net gain to offset future long-term development plans elsewhere in the Borough.

### Corporate priorities

9. The report relates to the following corporate priorities:

Involving residents in improving their local area and equality of access for all	✓	A strong local economy	
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

### Background to the report

10. An opportunity to purchase land owned by the Kevil Estate within the curtilage of Yarrow Valley Country Park has been put forward to the Council. The land agent acting on behalf of Kevil's approached Chorley Council to ask if we would be interested in purchasing the land before it was put to the open market. It is thought the land will be bought quickly and the Kevil Estate wanted to offer Chorley Council first refusal.
11. A report brought to Exec Cabinet on the 11 Nov 2021 gave approval to negotiate the purchase of approx. 36 acres of land off Burgh Lane to encompass it into Yarrow Valley Country Park for the purpose of tree planting and habitat protection at a cost of £288,500 funded through borrowing. The seller has since withdrawn a parcel of land from the sale and negotiations have finally agreed a sale price of £250,000 for approximately 30 acres of land.
12. The land is valued at approximately £10,000 an acre for the pastureland based on its existing agricultural use and £5,000 an acre for the woodland.

### Sale Terms and Borrowing

13. The land agent has now taken their clients instructions who have considered the proposed offer with their co trustees. They feel that the offer for the woodland is on the low side, having checked a valuation for similar land in the locality. However, given the Council are trusted purchasers with significant marriage value to the existing land, the vendors would be willing to accept **£250,000** (£8,440/acre) which is in line with the latest RICS guidance.
14. The land comprises grassland covering approx 15.437 acres and woodland covering approx. 14.183 acres. The total acreage is 29.62 acres (Subject to survey).

15. Land of this type is at a premium and therefore would be highly sought after, the sale is subject to a standard overage clause to read:  
  
“The total overage will be at a rate of 50% of the uplift in value following the benefit and implementation of planning consent for residential or commercial development for a period of 50 years from the completion date”.
16. Each party to bear its own costs.
17. An offer has been put forward of £250,000 and is recommended for formal approval. An indicative cost for borrowing this sum over 50 years would be £11k per annum.
18. It is proposed that the Council acquires the land at a cost of £250,000 to be funded from an underspend in the financing budgets in 2021/22 and ongoing through an increase to those budgets as part of budget setting 2022/23.
19. The land for sale illustrated in appendix A is adjacent to Yarrow Valley Country Park and bounds Council land.
20. Chorley Council declared a Climate Emergency in Nov 2019. A draft strategy is written and action plan being implemented to reduce our carbon emission to zero by 2030. As part of this initiative Chorley Council are working to plant a tree for every resident in the Borough by 2025 (116,875) and also protect natural open space as part of biodiversity net gain. We are continually working to make new partnerships with landowners, engage schools and the community so we are confident that by 2025 the target of tree planting will be met.
21. The land is very important to the residents of Chorley who already perceive it as being within the Country Park. The land is open access and there are no boundaries between both land holdings making it a seamless mosaic of habitats and recreational open space. No additional investment is needed to alter the land at present, it already functions as part of the Country Park. The existing ranger team and volunteers will continue to incorporate the land into the maintenance plans for the park.
22. The land sits in the Green Belt and is natural/semi natural open space and has public access through it. The land includes ancient woodland designated as Biological Heritage Site, steep valleys, rolling grassland, pond and a pasture field. It is a mature landscape presenting a mixed mosaic of habitats that are all advised to be protected. Much of the land is within the river valley and has a varied topography, none of the land is flat.
23. The land is ideal to be protected as Country Park and where possible to be planted with trees to buffer the existing woodland. The land doesn't have any commercial viability. An England Woodland Creation Grant could bring in annual maintenance payments of £200 per hectare for 10 years.

### **Planning Policy Status**

24. Planning permission has recently been granted to Taylor Wimpy to build c200 houses on the land adjacent. 16/00804/FUL. This land is outside of the greenbelt allocated as HS1 Housing Allocations and is designated as V2 Settlement Areas.

25. The land at appendix A which is for sale is within the Green Belt and Bio Heritage site BNE9 incorporating Spring Wood and Burgh Wood. This land is protected for biodiversity and nature conservation.

### **Future Land Management**

26. It is proposed to plant trees on this land to increase the woodland coverage of the Borough while still maintaining the important grassland and wetland habitats. It is estimated that the Council could plant approximately 10,000 trees on the land owing to a large proportion already being woodland. Two additional rangers have been appointed over the next two years to lead on tree planting and biodiversity projects linked to the climate change agenda.
27. This would contribute greatly to the target of 116,875 trees by 2025. It would be proposed to grow our own Chorley trees from seeds collected around the Borough with the community and also source free trees from the woodland trust for the majority of this planting. The land suitable for grazing will be let on a grazing licence and the rest of the open space will be managed on a minimal disruption basis and left to naturalise. The land needs little or no intervention from the Council owing it its mature, natural habitat.

<b>Total land mass</b>	<b>Area suitable for tree planting</b>	<b>Cost of land</b>	<b>Approx number of trees planted</b>
11.99ha (29.62acres)	5ha	£250,000.	10,000

### **Legal Implications**

28. Full diligence will be undertaken to ensure there is a full understanding of any liabilities attached to the land prior to purchase. The overage clause is to be noted and taken forward in the sale particulars and subsequent deeds.
29. The proposed purchase of the land must comply with the Council's best value duty contained in the Local Government Act 1999.

### **Climate change and air quality**

30. The work noted in this report impacts on the following areas of climate change and sustainability targets of the Councils Green Agenda: net carbon zero by 2030, limiting or improving air quality, limiting water waste and flooding risks, improving green areas and biodiversity.
31. The work noted in this report supports the climate change and sustainability targets of the Councils Green Agenda and all environmental considerations are in place.
32. This would be a very positive acquisition from a PR perspective as it would demonstrate the Councils' commitment to protecting the countryside from further development, safeguarding more of the Yarrow Valley Country Park as well as delivering carbon offsetting, biodiversity net gain and so forth.

### **Equality and diversity**

33. The Equality Impact Assessment (EIA) and Equality Act implications show a positive impact for Chorley residents with regard to equalities, health and sustainability.

### **Risk**

34. The risk assessment carried out for this land purchase does not pick up on many key risks. The main ones being linked to an extension of the Country Park and checking for dead, dying and dangerous trees, broken boardwalks and trip hazards. The land does not have any surfaced formalised walking paths through it and is a natural open space. Risks are addressed in the body of the report.

### **Comments of the Statutory Finance Officer**

35. As detailed above the purchase of land at a value of £250,000 through borrowing over 50 years would equate to £11k ongoing revenue budget requirement in the form of £5k MRP and £6k interest payments. This will be built into MRP/Interest budgets at budget setting for 2022/23 onwards.

### **Comments of the Monitoring Officer**

36. The report details how the valuation of the land has been reached and members can be assured that this is satisfactory evidence of best value being attained. All transfers of land must be undertaken in writing to be binding and the appropriate enquiries will be made and transfer of title documents prepared to protect the councils position. The proposed purchase is in line with the Council's corporate strategy and use will promote the commitment to carbon neutrality.

### **Background documents**

There are no background papers to this report

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