

**NORTH DUDLEY AREA COMMITTEE**

**DATE: 2<sup>ND</sup> DECEMBER 2003**

**REQUEST TO: PURCHASE LAND**

**LOCATION: ADJACENT TO 22 TOWNSEND AVENUE, SEDGLEY**  
**(As shown on the plan attached)**

**BACKGROUND**

An application has been received from the owner of 22 Townsend Avenue, Sedgley, a former Council house purchased under the right to buy, to purchase an area of land adjacent to the property which is controlled by the Directorate of Housing.

The land forms an area between the property and an alleyway that runs between Townsend Avenue and Uplands Drive and the applicant has requested to purchase the land due to its lack of regular maintenance by the Council and to prevent the current fly-tipping over their fence and into their garden.

A previous application to release a restrictive covenant to allow an area of land in the rear garden of 22 Townsend Avenue to be developed for a residential building plot, was considered by the North Dudley Area Committee on the 12<sup>th</sup> April 2001 and was refused by a Decision Sheet of the Chief Housing Officer, as such a back land development would not gain planning consent.

**COMMENTS**

The relevant Council Directorates were consulted regarding this application and whilst no objections were received to the sale of land for garden purposes only, it was considered that the area of land could constitute a development plot with frontage to Townsend Avenue.

The Directorate of the Urban Environment (Development and Environmental Protection Division) have no objections to the sale of the land for garden purposes subject to a height limit for walls and fences along the boundary of the footpath and providing a 4m width of land surrounding the footpath is maintained in accordance with Council policy.

The Directorate of Law and Property suggested an exchange of land could be considered to straighten out the bend in the footpath, but this is not acceptable to the applicant.

## **PROPOSAL**

That the Area Committee advise the Lead Member for Housing to agree to the sale of the land to the applicant on terms and conditions to be negotiated and agreed by the Director of Law and Property, for garden purposes only, providing the 4m width around the public footpath is maintained and any planning consents required are gained by the applicant.

## **BACKGROUND PAPERS**

1. Letter(s) from applicant.
2. Memos and e-mails from Council Directorates.

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