

APPENDICES

HALESOWEN AREA COMMITTEE

DATE: 17 SEPTEMBER 2003

REQUEST TO: PURCHASE LAND

LOCATION: LAND TO THE REAR OF 65-85 KENT ROAD HALESOWEN

BACKGROUND

In June 1982, following a Decision of the former Recreation and Amenities Committee, the owners of the properties 65-85 Kent Road entered into an agreement with the Council to rent individual plots of land to the rear of their properties for garden land (shown hatched on the attached plan). This land forms part of the Leasowes Park.

In 1998 a request was received from the majority of the owners of 65-85 Kent Road to purchase their individual plots for use as garden land. A report was submitted to the Leisure and Development Committee in February 1999, with a proposal that the application to purchase the land be approved.

Subsequently, the land was declared surplus by the Legal & Property Committee on 17 March 1999. However, the sale of land was conditional upon every individual plot of land being purchased. Unfortunately, agreement with all of the residents could not be obtained. Additionally, there was the possibility that planning permission for change of use of the land to garden land may not be given, as Development Control Department advised that the land was designated under the Unitary Deposit Plan as green belt/historic park land, and as a result, the Policy Team would recommend refusal. Consequently, the sale of land did not proceed.

An application has now been received from the owner of 85 Kent Road to purchase the land to the rear of his property. As a considerable amount of time has elapsed since the original decision to declare the land surplus to requirements, a new consultation exercise was undertaken to ascertain the present position. The opportunity was also taken to contact the owners of 65-83 Kent Road to ascertain as to whether they would be interested in purchasing the land to the rear of their properties, should it be available for purchase. The responses received show that eight owners have indicated that they would like to purchase the land, one resident has indicated that he doesn't wish to purchase the land, and one resident did not respond.

COMMENTS

All of the relevant Directorates have been consulted and the Directorate of the Urban Environment have objected to the sale of the land as the land applied for falls within an area designated under the emerging Revised Deposit Unitary Deposit Plan as Green Belt Land, a designated Historic Park, a Landscape Heritage Area, and a designated Site of Local Importance for Nature Conservation. The site forms an area of important public open space which has informal recreational value and enhances the visual amenity and setting of the surrounding historic park. Therefore in open space planning policy terms, support for the application would not be given and the application should therefore be refused.

PROPOSAL

That the Halesowen Area Committee recommend the Lead Member for Leisure to refuse the application to purchase the land.

BACKGROUND PAPERS

1. Letters from applicants dated 22 October 2003, 27 February 2003, 24 March 2003, 26 March 2003, 27 March 2003, 28 March 2003, 17 April 2003 and 7 May 2003.
2. Emails & Memos from the Directorate of Law & Property dated 28 March 2003 and 24 April 2003.
3. Emails & Memos from the Directorate of the Urban Environment dated 7 April 2003, 16 April 2003, 16 June 2003, 14 July 2003
4. Emails & Memos from the Directorate of Housing dated 24 March 2003

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