

**STOURBRIDGE AREA COMMITTEE**

**DATE: 12 JULY 2004**

**REQUEST TO: PURCHASE LAND**

**LOCATION: LAND ADJOINING 51 YARDLEY STREET STAMBERMILL**

**STOURBRIDGE**

**(As shown on the plan attached)**

**BACKGROUND**

An application has been received from the owner of 51 Yardley Street Stambermill Stourbridge to purchase a strip of Council owned land adjoining his property.

The applicant wishes to build an extension to his property comprising a garage with a dining room behind together with bedrooms above and therefore requires a small strip of Council owned land 2.5 metres, tapering to 2 metres the length of his boundary.

The land was acquired by the Council in 1972 under the provisions of Section 7 of the Open Spaces Act 1906, and forms part of the Stour Valley Open Space, and is under the control of the Directorate of the Urban Environment (Cultural & Community Services).

**COMMENTS**

All of the relevant Council Directorates have been consulted and objections to the sale of the land have been received from the Directorate of Law & Property and the Directorate of the Urban Environment.

The Directorate of Law & Property confirm that the land was acquired under the provisions of Section 7 of the Open Spaces Act 1906 and that any disposal would be subject to the requirements of that Act. Furthermore, when the Council acquired the land, it was covenanted that no building would be erected on the land, and that the land could only be used as open space land.

The Directorate of the Urban Environment advise that this land is designated under the adopted Unitary Development Plan as linear open space and forms part of the Stour Valley Open Space network and therefore the sale of this land should be resisted. Any sale of land in this area would set a precedent for other applications.

**PROPOSAL**

That the Area Committee advise the Lead Member for Leisure to refuse the application to purchase the land for the reasons set out above.

## **BACKGROUND PAPERS**

1. Letter(s) from the applicant.
2. E-mails and memos from the Council Directorates.

Contact Officer:

Sonia McLean, Property Manager, Ext. 5321