

## **APPENDICES**

### **HALESOWEN AREA COMMITTEE**

**DATE: 13<sup>TH</sup> JULY 2004**

### **REQUEST FOR: APPLICATION TO PURCHASE LAND**

### **LOCATION: ADJACENT TO 54 ALBRIGHTON ROAD, HALESOWEN**

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

### **BACKGROUND**

An application has been received from the owner of 54 Albrighton Road, Halesowen, to purchase an area of Council owned land adjacent to the property for a garden extension only.

The applicant states that he wishes to purchase the area of land to extend the garden as trees and brambles on the site overhang into his property and have scratched his vehicles, also rubbish accumulates on the land, such as cans, bottles, rubbish etc and the existing shrubbery becomes very unattractive with weeds and brambles growing in it. There have been instances of vermin on the land and the applicant therefore wishes to purchase the land to incorporate it within the garden and to keep it in a tidy condition. The applicant also states that the current undergrowth gives perfect cover for thieves to gain access to his property and by incorporating the land within his garden it would increase security. The applicant states that he would wish to retain the land as open as possible and would not wish to obstruct visibility.

The land is controlled by the Directorate of Housing and forms part of a grassed verge with shrubs at the corner of Albrighton Road and Bassnage Road.

A request by the applicant to purchase a larger area of land in order to extend his property was considered by Halesowen Area Committee on the 3<sup>rd</sup> December 2003, when it was recommended that the application be refused as the land forms a prominent and valuable area of open space and its disposal would be detrimental to visual amenity. It was also considered that planning consent would not be forthcoming for building on the land.

The applicant has now reapplied to purchase a reduced area of land for garden purposes only.

In 1994, a sale of this area of land was agreed to the former owner of 54 Albrighton Road for garden purposes only, but the applicant decided not to proceed with the purchase.

### **COMMENTS**

The relevant Council Directorates have been consulted regarding the application and no objections to the sale of the reduced area of land for garden purposes only have been received.

The application has been carefully considered by the Directorate of the Urban Environment and it is considered that the area has no worthwhile informal recreation

value, given its limited size and overgrown condition. The site is not considered significant in planning policy terms and there are no open space, sport, leisure and recreation planning policy issues or objections. Also a green open space buffer zone between the land and the pavement network will be retained in Council ownership. The land does contain mature trees and any proposal should include measures for their protection, or where loss is unavoidable, replacement by appropriate native species. It is therefore considered acceptable in this case to dispose of this area of land for garden purposes only.

A covenant can be placed within the conveyance of the land in order to restrict the land's use for that of garden land only.

### **PROPOSAL**

That the Area Committee advise the Lead Member for Housing to approve the sale of the land for garden purposes only, on terms and conditions to be negotiated and agreed by the Director of Law and Property.

### **BACKGROUND PAPERS**

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

Contact Officer: Gill Hudson, Property Manager, Ext. 5311