

APPENDICES

NORTH DUDLEY AREA COMMITTEE

DATE: 20 SEPTEMBER 2005

REQUEST TO PURCHASE LAND

LOCATION: ADJACENT TO 13 THE VISTA, SEDGLEY

(As shown on the plan attached)

BACKGROUND

A request has been received from the owner of 13 The Vista, Sedgley, a former Council house purchased under the Right to Buy, to purchase an area of Council owned land adjacent to the property, as shown marked on the plan attached. The Applicant wishes to purchase the land in order to erect another residential property.

The land is under the control of the Directorate of Housing and is a surfaced area of land on the corner of The Vista and Highfield Road.

The applicant states that the site is surfaced and currently used to park a 15 ton wagon that causes noise nuisance in the neighbourhood early in the morning. It is also said to pose a threat to local children who climb on it which is an "accident waiting to happen" in his view. The land is also sometimes used to park skips on. The tarmac surface of the site is in a poor condition due to the weight of the wagon and general wear and tear. Local children also play ball games on the land.

The applicant states that other corners within the estate have been developed and therefore wants to purchase the land and develop it for residential use.

COMMENTS

The relevant Council Directorates have been consulted regarding this application and the Directorate of Housing and the Directorate of Law and Property consider that the application should be refused.

They consider that the site forms a corner plot within a Council housing estate and should be retained as an open area. The Directorate of Housing has a policy of not normally selling such corner plots on estates to preserve the open aspect of the area and retain visibility. In this case they consider that the disposal of the land would also set an unwanted precedent for future disposals of similar areas of open space.

The Directorate of the Urban Environment states that a 150mm publicly adopted foul water sewer crosses the site and a 6metre easement would be required.

The site is large enough to sustain a development but any sale would be subject to planning consent being granted.

Based on the above comments the matter was submitted to Ward Members with a recommendation to refuse the application due to the Council's corner plots policy and the sewer crossing the site.

One ward member responded stating that in view of the underground services the application should be refused but that the corner plot situation does not give the right reason for refusal.

The applicant was advised of the proposal to refuse and subsequently asked for the matter to be reconsidered by Officers again, as he considered that the sewer could be diverted or accommodated within a development, that other residents would welcome the development of the land to relieve them of the nuisance mentioned above and that any proposed development would be in keeping with the opposite corners and existing building line, retaining visibility at the junction and would match other properties. He also states that all over the estate there are developments nearer to the corner than the proposed one will be.

The relevant Council Directorates were again contacted to see if they would reconsider their view but the Directorate of Housing still wish to retain the land in Council ownership as an open corner plot.

The Directorate of the Urban Environment state that a request could be made by a purchaser or prospective purchaser, to Seven Trent Water to divert the sewer and would have no objections to the site being sold, subject to planning consent being gained.

The Directorate of Law and Property state that Section 123 of the Local Government Act, requires the Council to get “the best price reasonably obtainable” when disposing of land. If it is agreed to declare this site surplus to requirements and sell the site for a development plot, the Council will have to advertise the site for sale on the open Market to meet this requirement. The applicant will then be able to make an offer for the site along with any other interested parties,

PROPOSAL

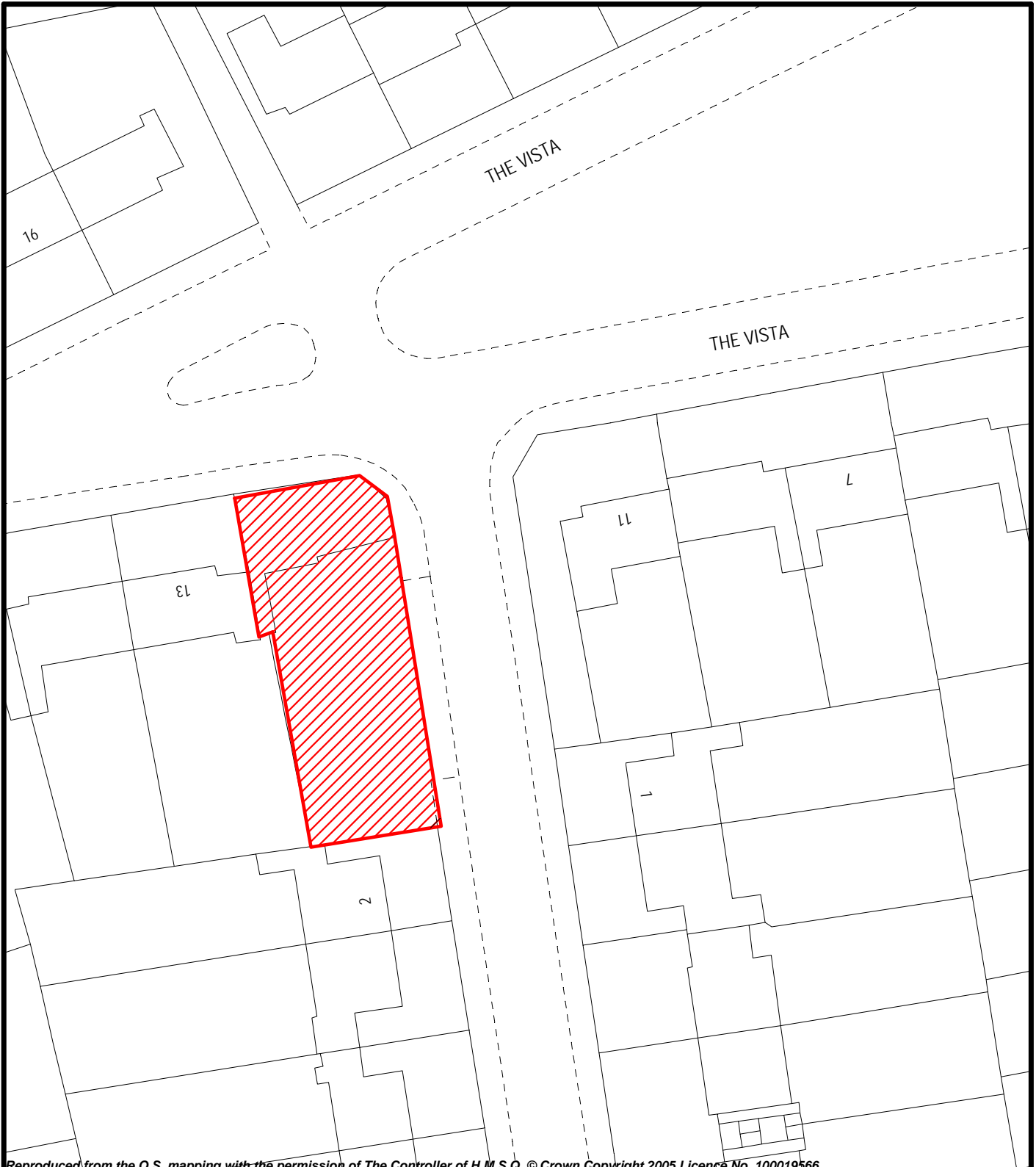
That the Area Committee consider the contents of this report and make a recommendation to the Cabinet Member for Housing to determine the application.

BACKGROUND PAPERS

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

Contact Officer:

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