
DUDLEY CENTRAL AREA COMMITTEE 8th NOVEMBER 2005

Report of the Director of Law and Property

Greencorns

Purpose of Report

1. To update Committee on the position with regard to planning requirements in respect of properties acquired by the above in the Dudley Borough

Background

2. Committee will have seen in the press that Greencorns are intending to pull out of the area but at the time of writing the report this has not been confirmed.
3. The question of whether planning permission is required for change use is a complex issue on which the Directorate have taken the advice of a barrister.
4. The advice was based on the fact that each case would need to be judged on its merits in order to establish whether in each particular case the use has changed materially. The issue of whether any change of use is 'material' is a matter of fact and degree to be judged primarily by reference to the effects on amenity.
5. In order to establish whether in the Dudley situation planning permission would be required a request was made to Greencorns solicitors for relevant information on a property by property basis.
6. To date insufficient detailed information has been provided and although we have agreed in principle to meet with Greencorns such a meeting has not been arranged, due to the announcement contained in the press report. In order to verify the accuracy of the report we have written to Greencorns solicitors asking for confirmation of their clients intentions with regard to the future use of these properties.
7. In the meantime it is our understanding that the Commission for Social Care are not registering any further properties until the issue of planning permission has been resolved in respect of each property.

Finance

8. There are no financial implications.

Law

9. The provisions relating to planning permission are contained in the Town and Country Planning Act 1990 (as amended).

Equality Impact

10. There are no equality issues in this matter.

Recommendation

11. It is recommended that:-

- the report be noted

John Poyellis

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Director of

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List of Background Papers