

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 14TH MAY 2014 AT 4.00 P.M.

PRESENT: Councillors M. A. Sherrey (Deputy Leader), D. W. P. Booth,
M. A. Bullivant, C. B. Taylor and M. J. A. Webb

Officers: Mr K. Dicks, Ms J. Pickering, Ms R. Bamford, Mrs S. Sellers, Ms
N. Chana and Ms R. Cole.

118/13 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor R. Hollingworth.

119/13 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

120/13 **PURCHASE NOTICE - LAND AT MEADOW CROFT, HAGLEY**

Cabinet considered a report on a Purchase Notice which had been served on the Council under Section 137 of the Town and Country Planning Act 1990. The notice had been served by owners of a plot of land adjacent to 73 Meadow Croft, Hagley. It was noted that the site was within the Furlongs Ward.

Officers explained the legal processes involved in the submission of the application and the implications of any decision made by Members. The options available to Members were also highlighted. It was reported that a rejection of the Purchase Notice would mean it had to be referred to the Secretary of State for final determination.

Members noted the background to the application which had been received following the recent refusal in February 2014 of a planning application for the erection of a dwelling house on the land. It was reported that the owners of the site had claimed that:

- (a) the land has become incapable of reasonably beneficial use in its existing state; and
- (b) it cannot be rendered capable of reasonably beneficial use by carrying out of any other development for which permission has been granted or is deemed to be granted or for which the local planning authority or the Secretary of State have undertaken to grant permission.

A third ground had originally been included in error by the owners and was to be disregarded.

Members raised a number of issues regarding the options available to the owners of the land but noted that no evidence had been supplied by the owners to demonstrate that the land was “incapable of reasonably beneficial use” or that they had attempted to sell the land to third parties. Members also noted the outcome of consideration by officers in relation to possible alternative uses of the land (apart from residential) which were set out in section 3.18 of the report.

Following discussion it was

RESOLVED:

- (a) that the Head of Planning and Regeneration be authorised to serve a Response Notice on the owners confirming that the Council is not willing to comply with the Purchase Notice for the following reasons:
 - (i) the owners have not demonstrated that the land is incapable of reasonable beneficial use ;
 - (ii) there is no evidence of any attempt by the owners to sell or dispose of the land to other third parties;
 - (iii) the land is capable of reasonable beneficial use as extensions to the garden areas of the adjacent properties, domestic garages, allotment(s) or communal private open space.

- (b) that delegated authority be granted to the Head of Planning and Regeneration and the Head of Legal, Equalities and Democratic Services to take any further necessary steps to progress this matter, including arranging for the Council to be represented at any subsequent inquiry.

The meeting closed at 4.15 p.m.

Chairman