



# Walsall Council

## **DEVELOPMENT CONTROL COMMITTEE**

**Date : 13<sup>th</sup> August, 2009**

### **Report Of Head Of Planning And Building Control**

#### **Compliance with condition 3 of planning approval reference number 06/1873/RM/W5 – Residential Development, Stafford Road, Darlaston**

**1.0 PURPOSE OF REPORT**

To agree details submitted in order to comply with condition 3 of planning approval reference number 06/1873/RM/W5 dated 6<sup>th</sup> June, 2007 for the residential development, Stafford Road, Darlaston.

**2.0 RECOMMENDATIONS**

That the details as submitted are approved as set out.

**3.0 FINANCIAL IMPLICATIONS**

None arising from the report

**4.0 POLICY IMPLICATIONS**

Policies GP2, ENV32, Para 3.113, 3.114, 3.115, 3.16 seek to protect and create high quality living environment which is well integrated with surrounding land uses and local character, poorly designed proposals which fail to take account of the context or surroundings will not be permitted.

The Council will consider development in relation to its setting and seek good design and high quality architectural and landscape design to improve access, discourage crime and create a distinctive environment.

**5.0 LEGAL IMPLICATIONS**

None arising from the report

**6.0 EQUAL OPPORTUNITY IMPLICATIONS**

The provision of appropriate boundary treatment will ensure the residents of Granby, Stafford Road will continue to enjoy a satisfactory level of amenity as well as protecting that of future occupiers of the new development.

**7.0 ENVIRONMENTAL IMPACT**

To consider the appropriateness of the approved details in respect of the boundary treatment to the rear of Granby, Stafford Road, Darlaston and

whether those details will provide a satisfactory level of amenity for the existing and future occupiers in the area.

8.0 **WARD(S) AFFECTED**

Darlaston

9.0 **CONSULTEES**

None

10.0 **CONTACT OFFICER**

Karon Hulse  
Senior Planning Officer  
01922 652492

11.0 **BACKGROUND PAPERS**

Walsall Unitary Development Plan 2005  
Designing Walsall Supplementary Planning Document 2008

David Elsworthy  
Head of Planning and Building Control

**Development Control Committee**  
**13<sup>th</sup> August, 2009**

**12.0 BACKGROUND AND REPORT DETAIL**

- 12.1 Planning permission (06/1873/RM/W5) was given in June, 2007 for residential development at Stafford Road, Darlaston (location plan attached). Work has begun on the site with a number of units being occupied. Condition 3 says:-

“Notwithstanding the above, building works for plots 13 to 24 shall not commence until a landscaping scheme for the embankment created by the remediation works carried out along the western boundary to the apartments no.s 13 - 24, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a gated access for continued maintenance of the embankment and details of secure fencing to be erected on the applicants site adjacent to the rear garden of Granby. The approved details shall be fully implemented and thereafter retained in good working order prior to any occupation of those plots.

*Reason : To ensure the satisfactory functioning of the development.”*

- 12.2 The site has consent for the erection of 70 dwellings consisting of houses and apartments. Plots 13 to 24 are a three storey block of apartments which have a blank gable wall facing towards the rear garden of Granby, Stafford Road, Darlaston. That side gable wall is approximately 4.5 metres away from the rear boundary of Granby and 47 metres away from the rear elevation of the house.
- 12.3 The area between the side gable wall of the apartments provides secure cycle storage and a pedestrian access to the open space and playing fields of the Rough Hay school beyond. However, the purpose of the pedestrian access is for maintenance of the embankment only, it would be gated and secured at either end and is not intended for general use by the public or the occupiers of the apartments (copy of plans submitted attached for your information).
- 12.4 The applicants have submitted the following details in order to comply with the requirements of condition 3:
- 2.0 meter high screen wall erected on the 1.3 meter retaining wall.  
(this will prevent access from the development site onto the Mr and Mrs Gilberts garden and also restrict views into their garden)

- 1.8 metre high railings around the cycle store.
- 1.8 metre high security gates top and bottom of the maintenance access path (*this will prevent unauthorised access and use of the pedestrian gulley along the rear boundary*).
- 1.8 metre high close boarded fence across amenity area to apartments (*will prevent overlooking from that area into Mr and Mrs Gilberts back garden*)
- 1.1 metre high post and rail fence along side area of the flats (*this is a security measure to prevent persons falling into the gulley*)
- 2.0 meter high close boarded fence along the rear of outbuilding to Granby (from ground level inside the maintenance access path) (*this is for aesthetic effects*).

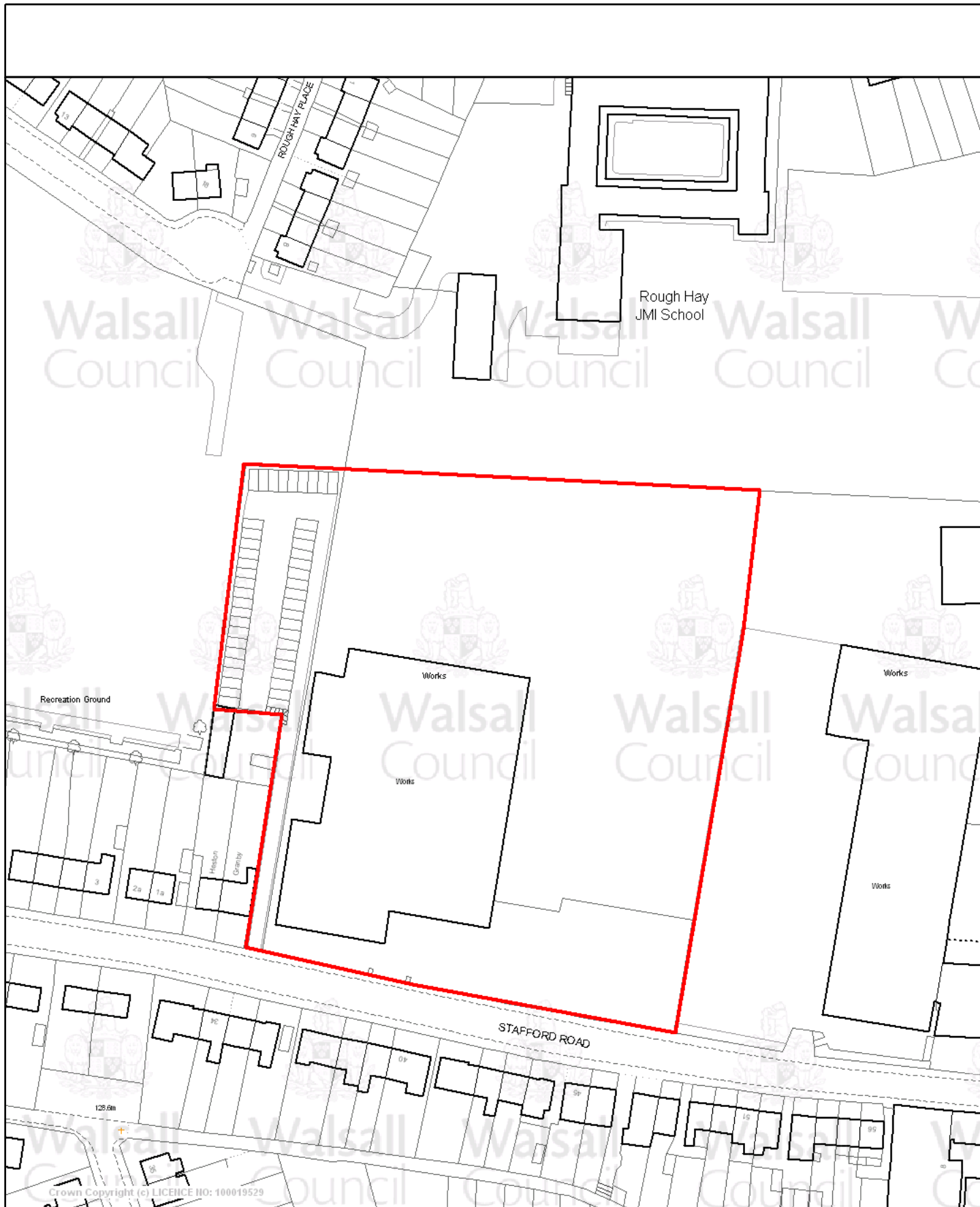
12.5 The land to the rear had previously been at a lower level, approximately 2.5 metres lower, it had been raised in order to facilitate the development of the site and as a consequence was now level with the top of Mr and Mrs Gilberts rear outbuilding (which is at a lower level than their house . Therefore to ensure that their rear garden was not looked into or their security compromised the details of the boundary treatment were required prior to the development commencing. The details will only allow for the maintenance of the embankment created by the raising of the levels and provide security and privacy.

12.6 However Mr and Mrs Gilbert do not share this view and have made the following comments in respect of the above details:

- security to their property would be non existent ,
- the steps and walkway would be nothing but a short cut from Rough Hay through the estate,
- the council are trying to get rid of alleyways because of anti social behaviour,
- the steps should be moved to the north of the flats.
- at the Development Control Committee in May, 2007 it was suggested by members and approved that a 3 meter screen wall would be built on (persimmon Homes) ground before any building was started.
- nothing less than a 3 metre high brick wall along their rear boundary will satisfy.

12.7 The logistics of constructing such a boundary wall would require substantial foundations which if carried out in such close proximity to the rear boundary could result in the existing brick building along the rear of Granby being affected. Notwithstanding the potential damage to the existing outbuilding the appearance of a 3 metre high brick wall would be no different to the view of the recently constructed side gable wall of the new apartment block.

- 12.8 In view of the details submitted in order to comply with planning condition 3 imposed by planning approval reference number 06/1873/RM/W5, it is considered that the condition has been satisfactorily complied with and the condition should accordingly be discharged.



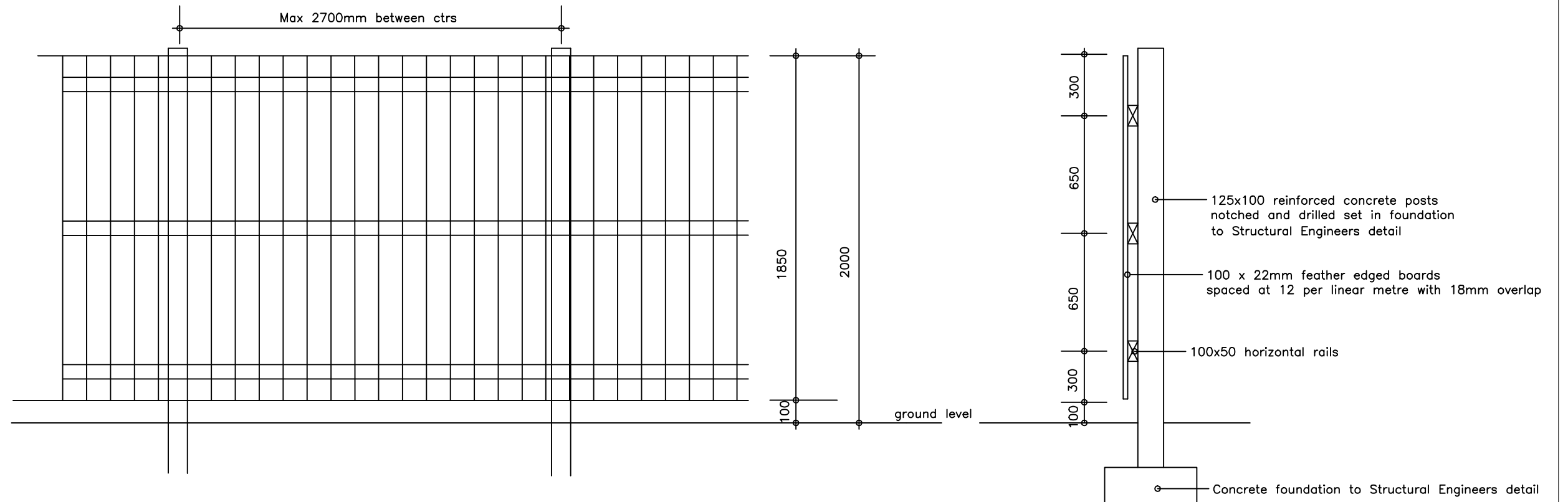
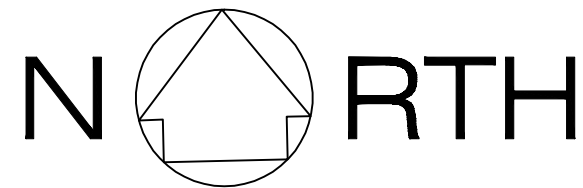
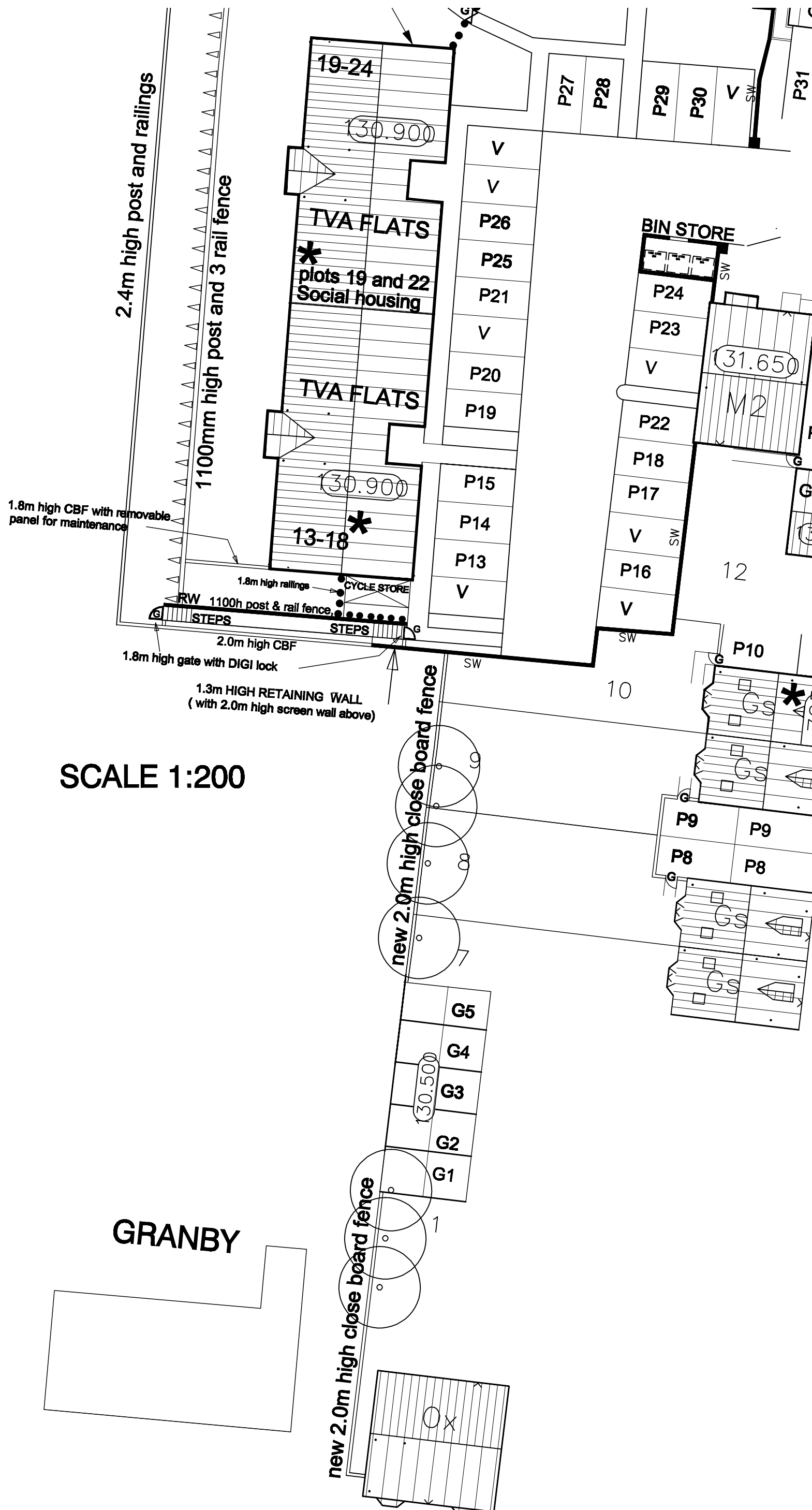
**Walsall Council**

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LICENCE NO: 100019529

Scale 1/1250 Date 4/8/2009

Centre = 397219 E 297011 N





CLOSE BOARDED FENCE DETAIL  
NOT TO SCALE

Misdescriptions Act 1991

Buyers are warned that this is a working drawing and is not intended to be treated as descriptive material describing, in relation to any particular property or development, any of the Specified Matters prescribed by any Order made under the above Act. The contents of this drawing may be subject to change at any time and alterations and variations can occur during the progress of the works without revision of the drawing. Consequently the layout, form, content and dimensions of the finished construction may differ materially from those shown. Nor do the contents of this drawing constitute a contract, part of any contract or warranty.

REV. A:12-06-09: Boarding specified

**PERSIMMON**  
Together, we make a home  
West Midlands  
Venture Court, Broadlands  
Wolverhampton, WV10 6TB  
TEL: (01902) 624 300  
FAX: (01902) 624 333

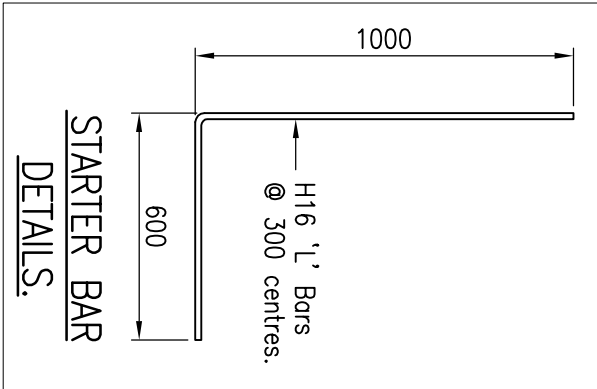
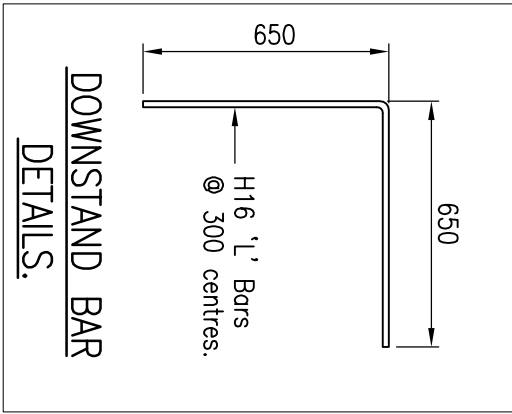
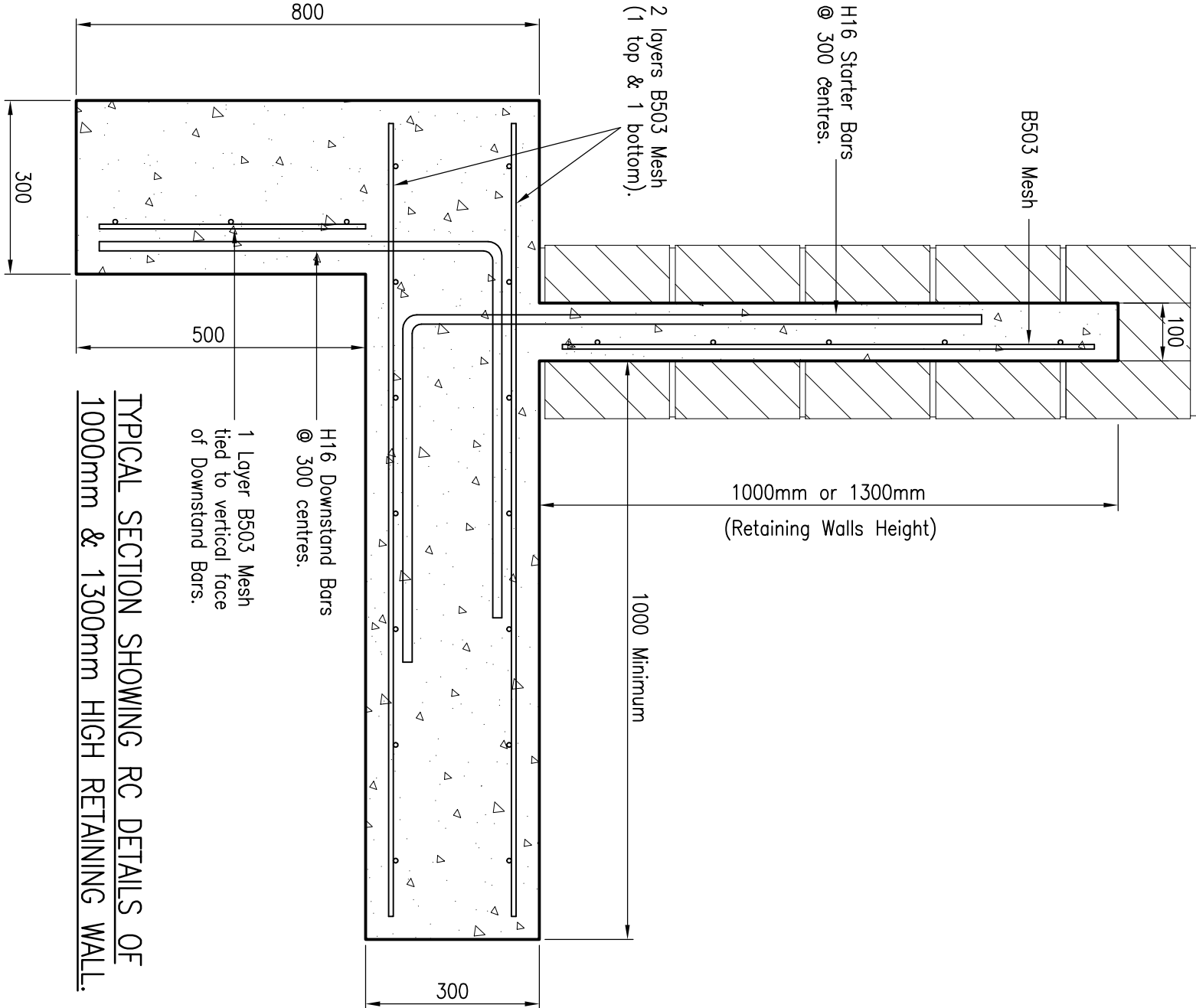
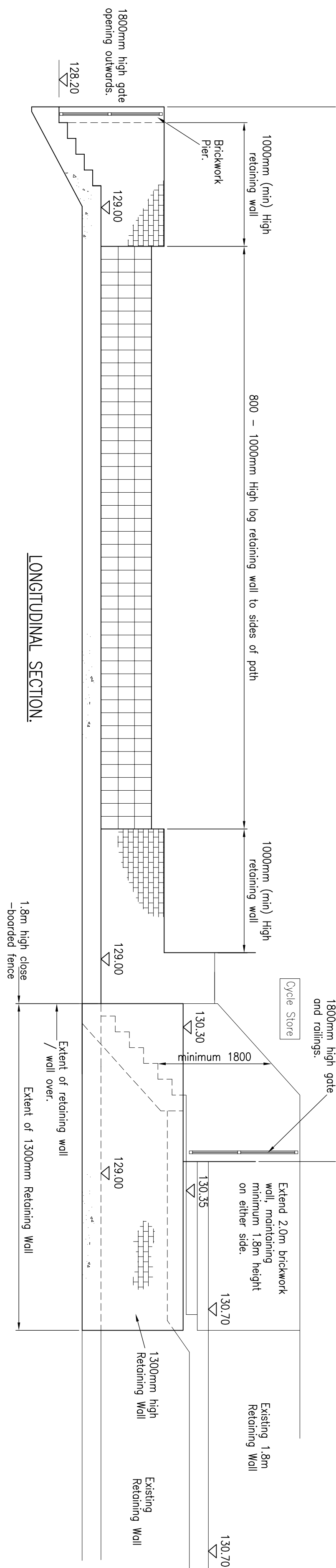
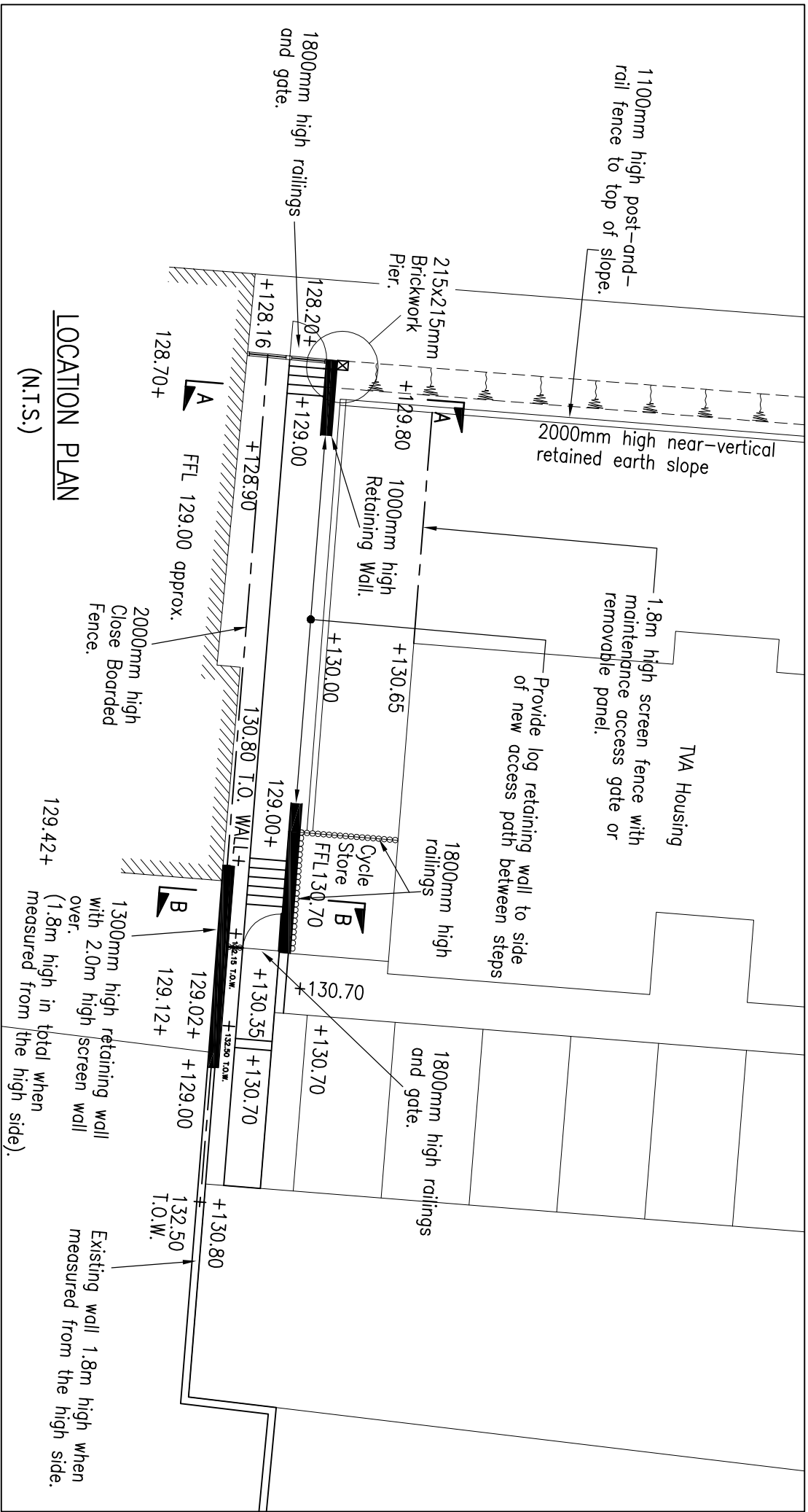
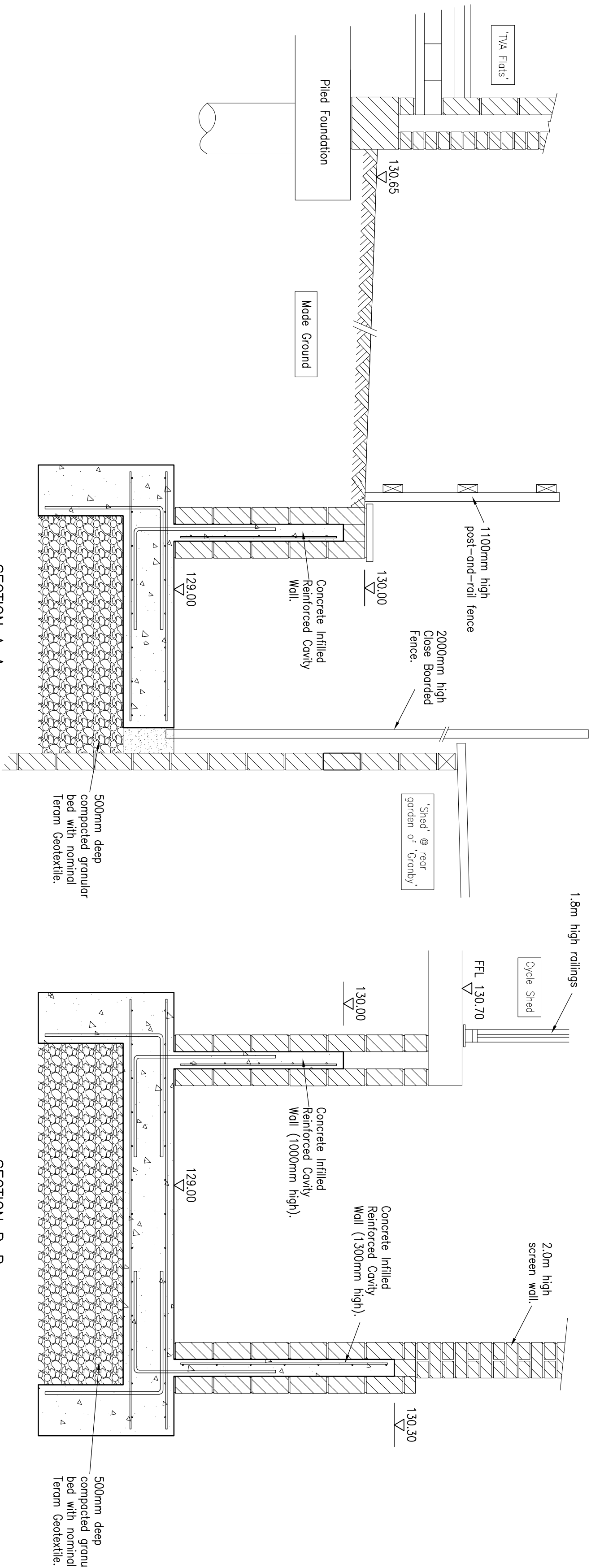
Project **THE KEEP**  
**STAFFORD ROAD DARLASTON**  
The **BOUNDARY TO REAR OF GRANBY**

**DEVELOPMENT DESIGN PARTNERSHIP**  
ARCHITECTS • ENGINEERS • DESIGNERS

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DRG No: **2005-03-04** A2  
DESIGNED BY: JPM DATE: JUNE 2005  
DRAWN BY: SCALE: 1:200  
CHECKED BY: REVISION: A  
FILE NAME:





#### NOTES

1. DO NOT SCALE.
2. This drawing is to be read in conjunction with all other relevant drawings, details & specifications.
3. Should there be any conflict between the details indicated on this drawing & those indicated on other drawings the engineer should be informed prior to construction on site.
4. Until technical approval has been obtained from the relevant authority, it should be understood that all drawings issued are preliminary and 'not for construction'.
5. All dimensions are in millimetres unless otherwise indicated.
6. All setting out is to be carried out in accordance with the dimensions indicated on the architects drawings.
7. All proprietary products specified can be substituted with any other equal product which has been approved prior to use.
8. Concrete to wall and base slab to be grade RC40, in accordance with BS 8005-1:2000, minimum cement content 340kg/m<sup>3</sup>, max. free water: cement ratio 0.5 to be class D632.
9. All concrete to be compacted using a suitable sized vibrating poker. All concrete works in accordance with BS8110.
10. 50mm concrete binding to be provided to underside of ground beams.
11. Minimum cover to all reinforcement to be 40mm, except bottom face which is to be 50mm. cover to all faces cast against as dug faces to be 75mm. Chairs and spacers to be provided to adequately maintain cover
12. Minimum laps:- H16 – 650mm
13. Reinforcing bars shall be to BS 4447 and cut & bent to BS 8666.
14. Mass concrete fill to be designated mix gen1, in accordance with BS 8005-1:2000.
15. All concrete to be compacted using a suitable sized vibrating poker. All concrete works to be in accordance with BS 8110.

0 10 mm 50 100 200 300 mm

## OPUS JOYNES PIKE

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### DETAILS OF 1000mm HIGH REINFORCED RETAINING WALL.

STATUS	PRELIMINARY	FILE	DRAWING NUMBER	REVISION
SCALE	1:50, 1:20, 1:10	PLOT DATE	J-S1493.00/29	D

#### CDM – Residual Hazard Table.

The table below is provided to assist the Principal Contractor to fulfil his obligations under the Construction (Design & Management) Regulations 2007. It does not include residual risks that a competent Contractor will be aware of nor does it absolve the Principal Contractor of his legal responsibilities.		
Hazard Activity	Residual Hazard	Hazard Control
Excavation of Base Slab adjacent to existing embankment.	Risk of Collapse.	Appropriate method of Construction to be adopted taking into consideration the requirements to support the adjacent embankment.

REV	AMENDMENT	APPD	DATE
A	Details of 1300mm High Retaining Wall Details added	IT	16.02.09
B	Gates and railings added, side walls extended to suit.	IT	16.04.09
C	Fencing and railings adjusted to Clients requirements.	IT	17.04.09
D	Fencing and walls adjusted to clients requirements.	IT	17.06.09
APPROVED		DCC	17.02.09
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