



Walsall Metropolitan Borough Council

Item No.

Development Control Committee

Date 13th December 2005

REPORT OF HEAD OF PLANNING AND TRANSPORTATION

The former Manor House Public House, Mill Street, Walsall. Ref : E05/0101

1. PURPOSE OF REPORT

To advise members of the condition and appearance of the site and request authority to take planning enforcement action in the form of an unsightly/untidy land notice.

2. RECOMMENDATIONS

- 2.1 That authority is given to the Head of Legal Services for the issuing of an unsightly/untidy land notice under Section 215 of the Town and Country Planning Act 1990.
- 2.2 That authority is delegated to the Head of Legal Services, to commence prosecution proceedings in the event that the Requisition for Information or the Notice under Section 215 is not complied with.
- 2.3 That authority is also delegated to the Head of Planning and Transportation, in consultation with the Head of Legal Services, to amend, add to, or delete from the wording set out below, stating the requirement(s) of the Notice or identifying the boundaries of the site :

Requirements of the Section 215 Notice

Either:

- (i) Demolish the building down to ground level and remove all components and debris to an authorised place of disposal, leaving the site secure and levelled.

Or Alternatively:

- (ii) Replace damaged roof timbers and provide a complete roof covering of roof and ridge tiles which match each other in size, colour and design, or, implement a detailed alternative scheme

of roof covering which has been submitted to and approved by the Local Planning Authority.

- (iii) Prior to repainting, clean and prepare all external joinery, removing in the process any flaking paint, replacing any rotten or perished timbers with replacement woodwork to match the existing and paint a uniform, neutral colour.
- (iv) Paint all breeze-block infilling of windows uniformly, in black or dark grey and, after closing, prepare and paint all remaining window frames in front of the breeze-blocks in white.
- (v) Attach timber boards to all remaining windows, to fit the openings, and paint uniformly black or dark grey. In addition, to simulate the appearance of window frames, paint a white border around the edge of the timber board and white timber crossbars and uprights of the same width to replicate the style of the existing or former window frames.
- (vi) Paint all breeze-block infilling of former door openings a uniform, neutral colour.
- (vii) Remove all debris, litter and rubbish from the land and dispose at a place of authorised disposal.

3. **FINANCIAL IMPLICATIONS**

In the event that the Section 215 notice is not complied with the Council may itself undertake the works specified in the notice. Costs may be recovered from the owner or by placing a charge against the future sale of the premises.

4. **POLICY IMPLICATIONS**

Officers consider that remedial action is necessary to comply with policies.

5. **LEGAL IMPLICATIONS**

Non-compliance with a Requisition for Information or a Notice under Section 215 is an offence and may lead to the instigation of prosecution proceedings.

6. **EQUAL OPPORTUNITY IMPLICATIONS**

None arising directly from this report.

7. **ENVIRONMENTAL IMPACT**

The report recommends action to remedy an adverse impact on amenity.

8. **WARD(S) AFFECTED**

Blakenall

9. **CONSULTEES**

Building Control Officers

10. **CONTACT OFFICER**

Helen Smith or Philip Wears
Planning Enforcement Team: 01922 652411

11. **BACKGROUND PAPERS**

Enforcement File – E05/0101 – Not published

Head of Planning and Transportation

Development Control Committee
13th December 2005

12 BACKGROUND AND REPORT DETAIL

- 12.1 A plan showing the location of the site is attached to this report. The site is in an inner urban area which contains residential and industrial development and is alongside a frontage of housing and some open space.
- 12.2 The site is understood to have been in use as a public house, but the building has been empty for some years. In 1994 there was a planning application granted for a change of use of the public house to a community hall and church, but this has never been implemented.
- 12.3 A Section 215 Notice was served on in February 1999, upon the same owners as present, requiring that all rubble, building materials, rubbish, and weeds were removed from the site and the site left in a clear and tidy condition. This notice was satisfactorily complied with by July 1999.
- 12.4 However the site has continued to deteriorate. The property now has a very derelict appearance with a large proportion of roof tiles missing, exposing roof timbers which are visible on all elevations. Window and door openings have, in most instances, been secured by bare grey breeze-block infilling to the interior of the remaining window frames, which look unsightly and harsh in a residential area. Some other windows have been removed from their openings. The general appearance is of serious neglect and unsightliness. Officers consider that it is very harmful to the amenity of the area, and it is considered that serving a Notice under section 215 is appropriate.
- 12.5 Following our correspondence with the owners no offer to 'tidy' the site and ameliorate its appearance has been received. There has however been a response from representatives for one of the owners advising that they are trying to assemble the two land parcels as one for sale.

Head of Planning and Transportation

The former Manor House Public House, Mill Street, Walsall.

