



Walsall Council

DEVELOPMENT CONTROL COMMITTEE

Date : 5th November, 2009

Report Of Head Of Planning And Building Control

Update on previous report regarding compliance with condition 3 of planning approval reference number 06/1873/RM/W5 – Residential Development, Stafford Road, Darlaston

1.0 PURPOSE OF REPORT

To update members on the submission of amended details in respect of a previous report to this committee on the 13th August, 2009 regarding details required in order to comply with condition 3 of planning approval reference number 06/1873/RM/W5 dated 6th June, 2007 for the residential development, Stafford Road, Darlaston.

2.0 RECOMMENDATIONS

That the amended 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
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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
5th November, 2009

12.0 BACKGROUND AND REPORT DETAIL

- 12.1 A report was considered at your meeting on the 13th August, 2009 regarding the submission of details required in order to comply with condition 3 of planning permission (06/1873/RM/W5) which was given in June, 2007 for residential development at Stafford Road, Darlaston (location plan attached).
- 12.2 A decision was deferred at that meeting for officers to negotiate the details in order to achieve a more satisfactory scheme which would offer more security to Mr and Mrs Gilbert the occupiers of Granby, Stafford Road, Darlaston whose property shares its rear boundary with the above development.
- 12.3 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 and the boundary of Granby 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).
- 12.4 Officers, applicants and Mr and Mrs Gilbert have met and the following details have been submitted in response to that meeting.
- 2.5 metre high secure lockable gate at bottom of access path (previously proposed to be 1.8 metre high security)
 - 2.5 meter high palisade fence along rear of outbuilding to Granby (from ground level inside the maintenance access path), previously proposed to be 2.0 metre high close boarded fence
 - 2.0 meter high lockable gate from apartments car park area (previously proposed to be 1.8 metre high security gate)
 - 2.0 meter high screen wall erected on the 1.3 metre retaining wall along part of the rear boundary.
 - 2.0 metre high railings around the cycle store (previously proposed to be 1.8 metre high railings)
 - 1.8 metre high close boarded fence across amenity area to apartments.
 - 1.1 metre high post and rail fence along side amenity area to apartments
- 12.5 Mr and Mrs Gilbert have been consulted on the above details and they are now in agreement with the proposed fencing etc. However they maintain their objections relating to the pedestrian access along that boundary on the grounds that it will be used as an access through the estate on to the recreation ground resulting in anti social behaviour, drugs and vandalism.
- 12.6 In my last report I outlined that the land to the rear (where the flats are) 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). By raising the level of that land a gap between the two sites was left unfilled, this would allow for pedestrian access to the lower levels and around the newly created embankment for maintenance purposes only. The access is to be secured with a 2.5 metre secure lockable gate at the lower level and a 2.0 metre high securely locked gate at the top. Therefore it is clear that a high level of security for this area is being provided, which in the view of officers, will address Mr and Mrs Gilberts concerns.

- 12.7 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.