



*Walsall Metropolitan Borough Council*

Item No.

**Development Control Committee**  
**Date 19<sup>th</sup> July 2005**

**REPORT OF HEAD OF PLANNING AND TRANSPORTATION**

**35, Flaxhall Street, Walsall. Ref 2004/0744/CMP**

**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 (Section 215).

**2. RECOMMENDATIONS**

(i) That authority is given to the Head of Legal Services for the issuing under the Town and Country Planning Act 1990, of a notice under Section 215.

(ii) 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.

(iii) 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.

**(iv) Requirements of the Section 215 Notice**

Within 28 days:

- a) Remove weeds, self-set saplings, tree stumps from front paved area and cut back overgrown vegetation to a height of 50mm above ground level or less in the front and rear garden areas and remove litter and debris from site to an authorised place of disposal.
- b) Remove all Sitex window security sheets and replace all broken glazing and replace with new glass, or, alternatively reduce the size of the Sitex window security sheets to fit the window openings and repaint a uniform colour.

- c) Windows and exterior doors that are boarded in timber should either be re-glazed or the boards painted black with a white border and transom of 50mm width to replicate a window frame.
- d) Remove broken glass and re-glaze porch framework or alternatively fit security boards to the same size as the porch frame and paint black with a white frame of 50mm to replicate the porch framework.
- e) Replace missing and broken porch roof tiles and re-align existing tiles.
- f) Replace all missing and dislodged guttering and down pipe sections to house and porch.
- g) Clean and prepare all external timberwork and re-paint with primer, undercoat and gloss in a uniform colour.
- h) Remove broken alarm bell box from front elevation of house, graffiti from the side elevation.
- i) Remove loose pieces of mortar and brick lying on the main roof and remove the remains of the front boundary wall material from the site to an authorised place of disposal.
- j) Replace missing timberwork to rear timber extension and clean and prepare all timber sides and re-paint a uniform colour.
- k) Remove vegetation from the two flat roofs of the rear extensions.

**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**

Your officers consider that the existing appearance of the building is harmful to the appearance and amenity of Flaxhall Street, Walsall.

**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**

Pleck

**9. CONSULTEES**

Officers are communicating with Legal Services and the Anti-Social Behaviour Unit of the Safer Walsall Borough Partnership.

10 **CONTACT OFFICER**

Helen Smith or Phil Wears

Planning Enforcement Team: 01922 652411

11. **BACKGROUND PAPERS**

Enforcement File – 2004/0744/CMP – Not published

M. Yardley

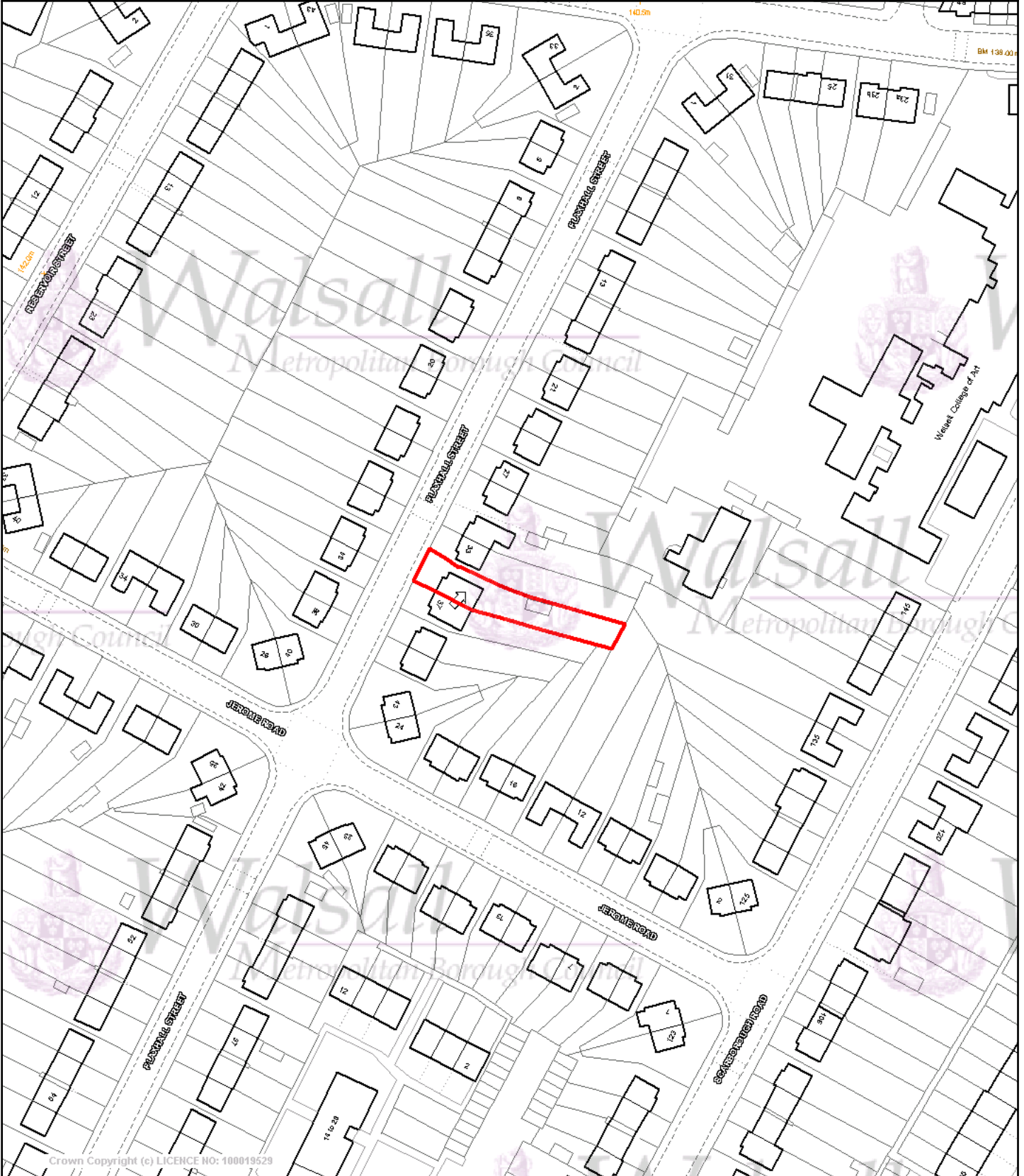
Head of Planning and Transportation

**Development Control Committee**  
**19<sup>th</sup> July 2005**

**12 BACKGROUND AND REPORT DETAIL**

- 12.1 A plan showing the location of the site is attached to this report. The property is a former Council owned house located in a residential street and is semi-detached.
- 12.2 The property has been empty and of very poor appearance for some time since the owner/occupier moved into sheltered accommodation. It has been attracting anti social behaviour of youths. The property subsequently sustained fire damage in an arson attack and its appearance has continued to deteriorate. The attached semi-detached house belongs to Walsall Housing Group and it is understood that they are reluctant to invest in and re-furbish their property until 35 Flaxhall Street has been improved.
- 12.3 The property remained insecure until Sitex metal security sheets were fixed to window and door openings earlier this year. Some of these are not of good fit and untidiness of the garden areas continues. The appearance of the property has continued to decline, with loose porch roof tiles, poorly maintained timberwork and guttering; and continued fly-tipping.
- 12.4 Officers consider the property is harmful to the amenity of the area. There are four other empty properties along Flaxhall Street with steel security shutters but 35 Flaxhall Street stands out as being in a more neglected condition than the others.
- 12.5 I understand that the owner of the property is reluctant to sell the house at an appropriate price level to reflect its current condition. The market value has reduced considerably since the fire damage and sustained vandalism attacks.
- 12.6 I also understand that a Compulsory Purchase Order is being considered. However, in view of the likely time-scales and the condition of the property, it is still considered appropriate to present this report.

35 Flaxhall Street, Alumwell, Walsall



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