



Appeal Decision

Site visit made on 20 October 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 November 2025

Appeal Ref: APP/V4630/W/25/3359508

Boatmans Bar and Grill, 20 High Street, Walsall Wood, WALSALL WS9 9LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by AK AND RK LIMITED against the decision of Walsall Metropolitan Borough Council.
 - The application Ref is 24/1060.
 - The development proposed is for the demolition of an existing public house and construction of part-two, part-three storey block comprising 15 apartments with associated parking and landscaping.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of an existing public house and construction of part-two, part-three storey block comprising 15 apartments with associated parking and landscaping at Boatmans Bar and Grill, Walsall WS9 9LP in accordance with the terms of the application, Ref 24/1060, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development on the application form and appeal form includes reference to a resubmitted scheme. This element of the description has been removed in the banner heading as it does not describe development.
3. A S106 Legal Agreement, in the form of a Unilateral Undertaking, has been submitted to attempt to mitigate the adverse impact of recreational activities on the integrity of the Cannock Chase Special Area of Conservation. I shall return to this later.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the area, including its effect on trees,
 - Whether or not the proposed development would be regarded as a none designated heritage asset (NDHA) and if so whether any harm conveyed would be outweighed by the scheme's benefits,
 - The effect of the proposal on the living conditions of neighbouring occupiers, with respect to privacy, outlook, noise and disturbance and whether the proposal would provide suitable living conditions for future occupiers with respect to the provision of private outdoor space,

- Whether the proposal would make a required contribution towards open space and affordable housing,
- Whether the proposed development would provide safe access for pedestrians onto the public highway, and
- The effect of the proposal on the integrity of the Cannock Chase Special Area of Conservation (SAC).

Reasons

Character and appearance

5. High Street, around and including the appeal site, consists of a Local Centre. Commercial uses are predominantly found on the southeast side of the street, with a restaurant (the appeal site), a GP surgery, a church, open space and residential uses found opposite. Buildings are a range of sizes and styles, being predominantly of two-storey traditional designs, with many located close to or adjacent to the footway creating a strong urban edge of built form. The appeal site is a traditional two-storey building, set close to High Street, which has been altered from its original simple form and thus makes a neutral contribution to the character and appearance of the area.
6. The proposal would be part two and part three storey. The building would part over-sail the proposed car parking area and provide a large area of external private amenity space at rooftop level. This arrangement creates an efficient 'stacking' of purposes to make good use of this previously developed site. It also retains and provides ample green space to accommodate reasonable areas of new planting. As such the scheme is not regarded as 'overdevelopment' as asserted by the Council and would create a suitable density for this Local Centre site.
7. The proposed scheme would be L-shaped, presenting main elevations to both High Street and the open space to the side of the site. This chosen footprint would respond well in layout terms to 1 and 3 St John's Close, creating a perimeter block development of contiguous elements.
8. The Council's 'Designing Walsall SPD' identifies the character area includes modest scale development throughout at 2-3 storeys. The proposed second-floor component of the scheme would be found to the rear of the building, addressing both the open space to the side of the site and St John's Close. In these views the additional height would be relatively prominent, but it would be softened by existing landscaping within the adjacent open space. Whilst the three-storey element would be a noted feature in views from St John's Close, it would not be strident in such views where contemporary suburban housing forms a relatively hard urban edge to the street.
9. The site is occupied by several trees subject to a tree preservation order, including a mature ash tree in the middle of the site which is proposed to be removed. This category B tree is a well-balanced specimen with a life expectancy of at least 20 years. The scheme proposes tree planting of 11 new trees, to off-set this loss, this would include additional planting within the existing row of trees along the site's frontage. Although the Council indicates that the new planting would have an absence of space it has not explained how the planting areas would be

substandard. The space provided for the trees appears to be sufficient for trees to survive and I have no clear evidence that demonstrates otherwise. Therefore, whilst the loss of the mature ash would be regretful, it is located in the middle of the site having a reduced presence in the street and the replacement planting would make a significant and improved contribution to the streetscene. As such, replacement planting would readily outweigh the loss of the existing tree.

10. Accordingly, the proposal would complement the character and appearance of the site and the surrounding area. Consequently, the proposal would comply with saved policies GP2, ENV18 and ENV32 of the Walsall UDP [2019], saved policies CSP4, ENV1, ENV2 and ENV3 of the Core Strategy [2011], policies DW1, DW2, DW3, DW5 and DW10 of the Designing Walsall SPD and Walsall's Natural Environment SPD. These seek, among other matters, for development to make a positive contribution to the environment and for poorly designed development to be refused where it fails to properly consider the context of a site.

Heritage issues

11. The building on site is a former public house that was built between 1843 and 1882. It is a two-storey brick building with a pitched roof, small dormer windows in the front roof, a decorative moulded cornice to the front elevation and a chimney stack. However, its historic interest is limited, as in addition to these original features the building includes a single storey flat roofed rear extension and a single storey front and side extension with an irregular footprint. Furthermore, an original outbuilding to the rear has been clumsily subsumed into the rear extension. The building also includes mismatched UPVC windows and a modern concrete tiled roof. Also, in consideration of the appellant's heritage assessment, the interior has been substantially remodelled, resulting in the retention of limited original features of architectural interest.
12. The Council identify the building as a NDHA, although the evidence indicates it is not a locally listed building. The Council has not explained how the building has been identified as a NDHA. Furthermore, the appellant has demonstrated that the building would not meet the Council's criteria for designation of buildings for its local list. Accordingly, limited evidence has been offered to justify why the building should be regarded as a NDHA, where such identification should be based on sound evidence.
13. The proposal would result in the demolition of the building, resulting in its complete loss. However, based on the degree of alteration and extent of removal of original fabric the building is regarded to be of low historic significance. Planning Practice Guidance (PPG) states that NDHA's must have a degree of heritage significance to merit consideration in planning decisions. The existing building has little heritage significance and therefore would not meet this requirement and should not, therefore, be regarded as a NDHA.
14. As the appeal site does not include a NDHA the loss of the existing building would not result in the loss of a heritage asset and therefore the loss of the building would not cause material harm to the character and appearance of the area, in compliance with the National Planning Policy Framework (the Framework).

Living conditions

Existing residents

15. The three-storey element of the proposed development would be opposite housing of St John's Close. The dwellings of 22-24 St John's Close are of similar design to each other. These include dormer windows at first floor and integral garages that project forward of the main elevation, one of which having been converted to a habitable room.
16. The appellant explains that Appendix D of the Council's 'Designing Walsall SPD' seeks separation distances of 24 metres between habitable room windows for two storey development and above. The end elevation of the proposed development would include three windows serving habitable rooms at each level, two serving a living room and one serving a bedroom on each floor. The separation distance between the proposed development and dwellings of St John's Close would be around 24 metres, in compliance with the guidance. However, the habitable room window of the converted garage of 24 St John's Close would provide a separation distance of around 21.8 metres. Nonetheless, a flexible approach should be applied to frontages as they are within the public domain, as privacy expectations would be reduced, as advocated by the guidance. On this basis, the proposal would not result in a material loss of privacy to residential occupiers opposite the site.
17. Interested parties have raised concerns with respect to overlooking from windows and the rooftop garden. However, the northeast facing elevation of the first and second floor of units 8 and 15 would be a significant distance from the rear elevation of 1 and 3 St John's Close. Also, views from windows of units 10 and 12 would be oblique only. Consequently, overlooking in these directions would be limited due to the separation distance, intervening boundary fencing and proposed landscape screening. Also, the rooftop garden would be enclosed by a two metre acoustic screen, limiting views from this vantage towards neighbouring properties.
18. The end elevation of the scheme would be similar in profile to the existing fir tree hedge. This elevation would address St John's Close with a comparatively modest width. Due to the separation distance and contextual considerations, this elevation would also have a limited effect on the outlook of neighbouring residential occupiers.
19. The vehicular access to the proposed car park would be opposite the neighbouring housing. The nature of vehicles arriving and exiting the site would cause some, albeit limited, levels of noise and disturbance to existing residents. Whilst the access would be newly formed, the use of the larger existing car park would have resulted in a greater level of noise and disturbance being a commercial use. Also, any disturbance caused by glare into windows from the headlights of cars leaving the site at night would be infrequent and modest in effect to neighbour's living conditions.

Future occupiers

20. The proposal includes an area of outdoor space within a rooftop garden. The area would be around 302m², which would meet the Council's requirements of providing

20m² per unit for flatted development. This space would be accessed from two stairwells, with 11 units having lift access enabling less able-bodied residents to easily access the space.

21. Furthermore, the site is adjacent to an area of public open space and a local centre providing occupiers with access to a range of local services. Although the Council finds there to be an absence of appropriate, accessible external space, the provided space would meet numerical requirements, be pleasant and private landscaped space that would be accessible to all future occupiers and would be supported by direct access to range of additional services.
22. Accordingly, the proposal would not materially affect the living conditions of local residential occupiers with regard to privacy, outlook, noise or disturbance. Also, the proposal would provide acceptable living conditions for future occupiers with respect to provision of private outdoor space. Consequently, the proposal would comply with the Council's 'designing Walsall SPD' and the Framework which requires development to be of high quality design and provide a high standard of amenity for existing and future users.

Planning obligations

23. Saved Policy GP3 of the Walsall UDP (2005) identifies the need for developments to provide any onsite and off-site infrastructure, facilities, services or mitigating measures made necessary by a development. Nevertheless, the PPG states that whilst development should comply with the contributions required by policy, it is for the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.
24. Policy OS1 of the Council's Urban Open Space SPD [2006] requires residential development to contribute towards the provision of all types of open space. The Council calculates that a sum of around £34,358 would be required to deliver improvements to open space. Policy LC1(d) states that such contributions would enable the provision of new, or the improvement of existing, urban open space. However, paragraph 6.3 of the SPD states that *"any reason to waive or alter the required contribution in respect of any particular development the onus will be on the developer to justify it; the Council will be flexible where sufficient justification is provided."*
25. Furthermore, CS policy HOU3 seeks to secure 25% affordable housing on all sites of 15 dwellings or more where this is financially viable. It also states that where 15% is proven to not be viable, the maximum proportion of affordable housing will be sought which will not undermine the development's viability. The Council's Affordable Housing SPD provides further details and also requires the proposal to make an on-site provision of 25% affordable housing.
26. The appellant's Financial Viability Assessment (FVA) undertook an appraisal based on the traditional residual method, where the total costs of development minus the end value of the developed identifies the value of the land. The appraisal demonstrates that in consideration of the scheme's cost, values and the other determining inputs, the scheme would provide a deficit Residual Land Value of minus £26,000. Further, in assessing an appropriate Benchmark Land Value of £250,000, it would generate an overall Residual land Value deficit of minus £276,000. This indicates that the scheme would not be economically viable. However, the appellant informs that it would seek to subsidise the scheme and

proceed with the development by deferral of a developer's profit by retention of the property as a longer-term investment. As the scheme is not viable, even without providing planning obligations, it could patently not tolerate the payment of such sums.

27. The Council states that the FVA was not assessed during consideration of the application at the applicant's request until design matters had been addressed. However, both during consideration of the application, and in preparing its Statement of Case, the Council has had ample opportunity to consider the conclusions of the FVA. The Council has not refuted the findings of the FVA or provided a critique of its conclusions. As such, it appears that the appellant has provided reasoned, and unchallenged, justification as to why the planning obligations sought cannot be provided without rendering the scheme unviable. I see no reason, within the submitted evidence, to disagree with the conclusions of the Appraisal.
28. Accordingly, based on the submitted evidence the proposal would be unable to provide the requested infrastructure provisions towards open space and affordable housing and remain viable. As such, the proposal would comply with CS policy HOU3 and policies OS1 and OS2 of the Open Space SPD in that the appellant has provided a robust demonstration that the scheme cannot provide infrastructure provisions without rendering the scheme unviable.

Highway safety

29. The proposed development would result in the closure of the existing vehicular access onto High Street and the creation of a replacement access from St John's Close. The proposal includes the provision of a new footway beyond the rear boundary of the new car park. This would connect the existing footway on the southeast side of St John's Close, currently interrupted by the appeal site.
30. The Highway Authority has raised no objection to the new access and the closure of the 'very wide existing dropped kerb of about 20 metres' onto High Street. There is also no objection raised with respect to parking provision or on-site manoeuvring space. Although concern has been raised with respect to the proposed access and boundary treatment, the Council has failed to expand on this concern. The proposed access, being set back from the carriageway edge by the new footway, would provide good visibility onto the lightly trafficked residential road achieving suitable visibility splays. Furthermore, the extended and reconnected footway would improve pedestrian safety.
31. The Framework explains that development should pursue opportunities to promote walking, cycling and the use of public transport. It also states that when setting local parking standards policies should take into account the accessibility of the development, the type and mix of development, availability of public transport, and local car ownership. The proposal would include 15 parking spaces, amounting to one space for the occupiers of each flat. The level of parking would be acceptable as the site is within a Local Centre, provides easy access for occupiers to goods and services and a bus service provides connections to Walsall, a conclusion shared by the Highway Authority.
32. Interested parties have raised concerns that St John's Close is a busy highway and existing on-street parking would be increased from overspill parking. Although the road is relatively narrow, I noted that residential properties have on plot parking

meaning that on-street parking demand for residents would be low. The highway appears to offer adequate on-street parking for visitors and seemed unlikely to be under parking stress. As such, whilst the proposal would be unlikely to result in on-street parking, such limited demand could be accommodated on streets locally without causing highway safety concerns.

33. As a result, the proposal would not raise safety concerns with respect to highway or pedestrian safety. Consequently, the proposal would comply with CS saved policy TRAN2 and policy DW5 of Designing Walsall SPD. These seek, among other matters, for development to provide for an acceptable level of accessibility and safety by all modes of transport and to create well connected places that are easy and safe to move through.

Cannock Chase SAC

34. Policy CPS3 of the Black Country Core Strategy [2011] (CS) states that the Council will resist development that compromises the integrity and quality of environmental infrastructure. Furthermore, CS policy EQ2 states that development will only be permitted where it can be demonstrated that it will not be likely to lead to an adverse impact on the integrity of the Cannock Chase SAC. It states that housing development, within the Zone of Influence (ZOI), should mitigate the anticipated adverse effects in the form of habitat management, access management and visitor infrastructure.
35. The appeal site is located within the ZOI of the SAC, which is primarily allocated due to its dry heathland. It is incumbent upon me, in accordance with the Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations) as competent authority, to consider whether the proposal would be likely to have a significant effect on the integrity of the SAC through an Appropriate Assessment.
36. Development within the ZOI would increase visitors to the SAC having a deleterious effect on its integrity. Recreational pressure, path creation and widening, erosion and nutrient enrichment create increasing detrimental effect on the heathland. Natural England has confirmed, in standing advice, that any development within 15kms of the SAC would be likely to cause significant harm through increasing visitor numbers.
37. Based on the submitted evidence I find that the proposal, individually and in combination with other development, would be likely to have an adverse effect on the integrity of the SAC. Under the Habitat Regulations, such impact would need to be avoided and mitigated through a package of suitable measures. The Council has produced 'Guidance to mitigate the impact for new residential development' (2023) for development within the ZOI. It identifies that on-site mitigation measures should be secured through planning contributions to mitigate the harmful impacts of increased visitors. These measures are defined as the Strategic Access Management and Monitoring Measures (SAMMM). The Council identifies that the SAMM sum of £5160.15 is required and I am satisfied this is secured by the UU.
38. The Habitat Regulations require me to consider whether compliance with conditions or other restrictions, such as a planning obligation, would enable it to be ascertained that the proposal would not adversely affect the integrity of the SAC. The submitted UU would provide a financial contribution to mitigate the adverse effects of development on the SAC. As such, I am satisfied that the UU would secure the Council's required SAMMM contribution, preventing the scheme having

an adverse impact on the integrity of the SAC. Furthermore, NE has confirmed in correspondence that the proposed mitigation would prevent an adverse effect on the integrity of the SAC.

39. Accordingly, following appropriate assessment under the Conservation of Habitats and Species Regulations 2017, I am, therefore, satisfied that the adverse effects on the integrity of the Cannock Chase SAC will be avoided.
40. For the reason given above, I conclude that the proposed development would not have a significant effect, either alone or in combination with other development, upon the integrity of the Cannock Chase SAC. Accordingly, the proposal would comply with CS policies CSP3, CSP4 and ENV1, saved policy ENV23 of the Walsall Unitary Development Plan [2005] (UDP) and policy EN1 of the Walsall Site Allocation Document [2019] (SAD). These seek, among other matters, for development to demonstrate that the district's strategic network of environmental infrastructure will be protected at every opportunity and for development to be resisted if it would lead to an adverse effect upon the integrity of the SAC.

Other Matters

41. The Council's officer report identifies that the site is in flood zone 1, and therefore at a low risk of fluvial flooding. Nonetheless, interested parties have raised concerns that the area is subject to some surface level flooding. Also, the Lead Local Flood Authority objected to the proposal as the scheme failed to provide a suitable sustainable urban drainage (SUDS) solution for the site. However, whilst the officer report explained that this concern meant that the scheme could not be supported, it has not identified this matter to be of sufficient importance to warrant a reason for refusal.
42. The Framework requires at paragraph 181 that when determining planning applications, local authorities should ensure that flood risk is not increased elsewhere. It also states that applications that could affect drainage on or off site should incorporate sustainable drainage systems to control flow rates and reduce volumes off site. I am content that the imposition of an appropriate condition would enable the appellant to demonstrate that risks of increased flooding can be successfully addressed with SUDS incorporated into the scheme.
43. Interested parties have raised concerns that the existing building, currently in use as a restaurant with flat above, is a community resource that would be lost. The Council's officer report explains that there are other public houses in the local area and has no objection to the loss of this facility. Despite concerns that the appellant's list of available alternative facilities may be out of date, I am satisfied that adequate alternative facilities would remain within the area.
44. It has been reported by a local resident that the site is subject to a restrictive covenant. However, this would be a civil matter that would need to be addressed between affected parties and would not have a bearing on the outcome of this appeal.

Conditions

45. I have considered the use of conditions in line with the guidance set out in the PPG. I have included the standard three-year implementation period and applied a

condition that requires the scheme to be built in accordance with the approved plans in accordance with advice within the PPG [conditions 1 and 2].

46. Two pre-commencement conditions are required to secure details of drainage and a construction environmental statement. These are necessary to ensure the site includes a sustainable urban drainage system and protects neighbours' living conditions respectively [3 and 4].
47. Conditions are required for details of materials, the installation of tree protection measures and boundary treatment to ensure that the proposal would maintain the character and appearance of the area [5, 6 and 11]. Condition 7, for the parking and access areas to be provided in accordance with agreed details would be necessary to ensure the parking area would function well. Condition 8, seeking details of finished floor levels, is required to ensure that the effect on the outlook and privacy of adjacent neighbours would be satisfactory.
48. Also, whilst not requested by the Council, details of the 2-metre screen (with respect to opacity, colour and materiality) enclosing the rooftop garden, would be required to ensure it would complement the development and prevent overlooking towards 1 and 3 St John's Close [10]. However, I have not included the Council's suggested condition with respect to external lighting as this has not been demonstrated as being necessary to protect the area's visual amenities. I have also not included the Council's suggested condition for details of a footpath link alongside St John's Close as this is already proposed and the condition is therefore unnecessary.

Conclusion

49. For the reasons given above the appeal should be allowed.

B Plenty

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing no's Drawing number 2441 103 Foundation Plans Proposed, Drawing number 2441 104 Rev B Proposed Floor Plans, Drawing number 2441 105 Rev A Proposed Floor Plans/Site Location, Drawing number 2441 106 Rev A Proposed Elevations, Drawing number 2441 107 Rev A Proposed Elevations, Drawing number 2441 108 Rev A Proposed Elevations, Drawing number 2441 109 Rev A Proposed Elevations, Drawing number AEL-18259-TNCNLP Tree Constraints, Drawing number AEL- 18259-TCP Tree Constraints, Drawing number AEL-18259-TIP Tree Impact Plan, Drawing number AEL-18259-TPP

Tree Protection Plan, Drawing number AEL- 18259 TSP Tree Shadow Plan, Drawing number AEL-18259 TWP Tree Works Plan, Biodiversity Statement CW Ecology July 2024, Preliminary Roost Assessment CW Ecology August 2024 and Noise Impact Assessment NoiseAir August 2024.

- 3) Prior to the commencement of development hereby permitted drainage plans for the discharge of surface water and disposal of foul sewerage and all existing and proposed underground services and sewers shall be submitted in writing to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details and the approved drainage shall thereafter be retained as installed for the lifetime of the development. The development hereby permitted shall not be occupied until the approved drainage has been installed in accordance with the approved plans.
- 4) Prior to the commencement of development, a Construction Environmental Management Statement shall be submitted in writing to and approved in writing by the Local Planning Authority. The Construction Environmental Management Statement shall include: 1.Construction working hours. 2.Parking and turning facilities for vehicles of site operatives and visitors. 3.Loading and unloading of materials. 4.Storage of plant and materials used in constructing the development. 5.A scheme for recycling/disposing of waste resulting from construction works. 6.Temporary portacabins and welfare facilities for site operatives. 7.Site security arrangements including hoardings. 8.Wheel washing facilities and/or other measures to prevent mud or other material emanating from the application site reaching the highway. 9.Measures to prevent flying debris. 10.Dust mitigation measures (particularly as the contaminated land investigation has indicated that land is contaminated). 11.Measures to prevent site drag-out (including need for wheel cleaning and use of a road-sweeper). 12.Noise and vibration (if piling and/or ground stabilisation is to be conducted) mitigation measures. 13.Tree/hedgerow protection, and mitigation measures for protected species bats during construction, and 14.Surface water flood risk mitigation measures during construction. The development hereby permitted shall not be carried out otherwise than in accordance with the approved Construction Environmental Management Statement and this Statement shall be maintained throughout the construction period.
- 5) Tree protective fencing and ground protection shall be installed in accordance with drawing AEL-18259-TTP Tree Protection Plan Rev B.

A minimum of one month's written notice of the intention to commence development shall be given to the Local Planning Authority to allow the Council's Arboricultural Officer to fully inspect the installation of the protective fencing and ground protection.

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved details before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Nothing shall be stored or placed, nor any fires started, any tipping, refuelling, disposal of solvents or cement mixing carried out inside the protective fencing or on the ground protection referred to in part a to this condition. Ground levels within protective fencing and on ground protection areas shall not be altered nor shall any excavation or vehicular access or drainage routes be made.

The development hereby permitted shall not be carried out otherwise than in accordance with the approved details.

- 6) Prior to the commencement of building operations above damp-proof course of the development hereby permitted a schedule of materials to be used in the construction of the external surfaces including details of the colour, size, texture, material and specification of any bricks, render, roof tiles/materials, windows, doors, rainwater products and soffits shall be submitted in writing to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the approved materials shall thereafter be retained for the lifetime of the development.
- 7) Prior to the commencement of building operations above damp-proof course of the development hereby permitted, details of the vehicular/pedestrian access, turning area and parking facilities shall be submitted in writing to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the approved accesses, turning area and parking facilities have been carried out. The approved accesses, turning area and parking facilities shall not be used for any purpose than for access, turning and parking respectively. The development hereby permitted shall not be carried out otherwise than in accordance with the approved details and the access, turning and parking areas shall thereafter be retained for the lifetime of the development.
- 8) Prior to commencement of any building operations above the damp proof course of the development hereby permitted, details of the proposed finished floor levels, ridge and eaves heights of the buildings hereby permitted shall be submitted in writing to and approved in writing by the Local Planning Authority. The submitted levels details shall be measured against a fixed datum and shall show the existing and finished ground levels, eaves and ridge heights of surrounding properties. The development hereby permitted shall not be carried out otherwise than in accordance with the approved details.
- 9) Prior to commencement of any building operations above the damp proof course, details of the 2m acoustic screen (with respect to opacity, colour and materiality) shall be submitted and agreed with the Local Planning Authority. The agreed details shall then be implemented in accordance with the approved development.
- 10) Prior to the commencement of building operations above damp-proof course of the development hereby permitted details of the proposed boundary treatment of the site, including heights, positions and extents, materials and finishes of all walls, fences, gates, or other means of enclosure, shall be submitted in writing to and approved in writing by the Local Planning Authority. The submitted details shall include all internal site divisions in addition to the perimeter boundary treatments, and all gates shall be designed and installed so they cannot open outwards onto a highway. The development shall not be carried out otherwise than in accordance with the approved schedule and the boundary treatments shall thereafter be retained for the lifetime of the development. The development hereby permitted shall not be occupied until all boundary treatments have been erected in accordance with the approved schedule.

End of conditions