PLANNING APPLICATION NUMBER: P21/0123

Type of approval sought	Reserved Matters
Ward	Amblecote Ward Wollaston and Stourbridge Town Ward
Agent	
Case Officer	James Mead
Location:	**LAND OFF OLD WHARF ROAD, STOURBRIDGE**
Proposal	**APPROVAL OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE TO BE CONSIDERED) FOR THE ERECTION OF 256 NO. DWELLINGS (FOLLOWING OUTLINE APPROVAL P18/0921)**
Recommendation Summary:	**APPROVE SUBJECT TO CONDITIONS**

SITE AND SURROUNDINGS

1. The application site is land at Old Wharf Road, Stourbridge and is approximately 7.7 ha. in area. It comprises an irregularly shaped brownfield site that was previously in an industrial use. All of the former buildings that were previously on site have been demolished, the foundations removed and the land prepared for development.

2. Access to Old Wharf Road is from Amblecote High Street to the east. Old Wharf Road runs through the application site and provides access to the Allens Transport haulage yard site that sits outside of the application red line site, to the west of the site.

3. The site inclines gently to the north from Old Wharf Road. As a result, the canalside frontage to the south of the site gives way to increased separation along the western side of the site, with a steep bank planted with mature native trees. The site at its northerly limit rises 6 to 7 metres above the level of the canal.

4. The southern boundary of the site is formed by the Stourbridge canal. The Stourbridge canal also forms the majority of the western boundary of the site. The northern boundary of

the site does not follow any notable boundary features. It lies within an area that rises steeply to the boundary and is characterised by self-set vegetation. The majority of the eastern boundary of the site is formed by a sandstone cliff face that separates the application site from the Stourbridge War Memorial Athletics ground and commercial units accessed off Amblecote High Street. In its south-eastern corner the eastern boundary of the site is formed by the rear of the Johnson Dry Cleaners' premises located off High Street.

5. This part of the application site is located adjacent to a mixed-use area. Land to the east of the site comprises commercial units and residential properties (Westland Gardens) alongside the Stourbridge War Memorial Athletics ground. Further south, located between the War Memorial Athletics ground and Old Wharf Road, are a series of buildings that are largely vacant and known as 'Titan Works'. To the south of the site, beyond the Stourbridge canal, are areas of public open space, areas of hardstanding, commercial premises and the Lion Medical Practice.

6. To the south of the canal lies an area of historic importance with remaining buildings and artefacts representing the industrial archaeology of the Stour Valley and the town. The area of land between the river and the canal is occupied by older canalside and industrial buildings, a number of which are protected by statutory listing, including the Bonded Warehouse. The Stourbridge Canal corridor is a designated Conservation Area and covers areas of the site to the south of Old Wharf Road.

7. To the west of the site beyond the canal is Riverside House, a Grade II listed, building that sits within an area of land approved for use as a woodland community health and social care training facility, with significant areas of amenity space. To the north-west of the site on the opposite side of the Stourbridge Canal is the new Doulton Brook residential development. Land to the north of the site is predominantly in residential use, with a series of residential properties located off Hollybush Lane, Stamford Street and High Street.

PROPOSAL

8. This is a reserved matters application for appearance, landscaping, layout and scale to be considered for the erection of 256 no. dwellings (following outline approval P18/0921) at land at Old Wharf Road, Stourbridge.

9. Outline approval P18/0921 was granted consent in November 2020 with all matters reserved apart from access, to allow the development of up to 332 dwellings and associated infrastructure on a split site, at land on Old Wharf Road and Bradley Road (Tudor Dairies), Stourbridge. This reserved matters application relates solely to the Old Wharf Road site.

10. The scheme proposes a total of 256 dwellings with the split of accommodation as follows;

- 10 one-bedroom flats
- 41 two-bedroom flats
- 10 two-bedroom dwellings
- 98 three-bedroom dwellings
- 97 four-bedroom dwellings

11. The residential dwellings would be of two-storey height and the blocks of apartments would be three-storey. There would be a wide range of materials used across the site and to reflect the different character areas defined in the previous outline approval. Along the southern section of the site within the Conservation Area, the use of red/brown bricks, with grey conservation roof tiles will be utilised, with horizontal Charcoal grey cladding used on the apartment blocks. Elsewhere, there are a mixture of rough and smooth red/brown bricks with tiled roofs, grey UPVC windows, with the use of white render on properties within a central section of the site.

12. Access to the site is from Old Wharf Road, which connects to High Street (A491). The northern section of the site is served by a road system to ensure the development of perimeter blocks. Along the southern section a series of apartment blocks are provided which provide dual aspects to look over both the Old Wharf Road and Stourbridge Canal, also providing natural surveillance along a footpath link and across a SUDS landscape feature.

13. Properties would be set away from the cliff face that forms the eastern edge of the site, allowing for the creation of linear area of open space adjacent the edge of the cliff face. Incidental areas of public open space would be provided on the site, predominantly around the site's edges.

14. All dwellings would have off road parking provision with the parking for the apartments provided in parking courts. Parking courts are positioned so that they are overlooked by the surrounding properties and not prominent in the street scene.

15. During the course of the application significant amendments have been submitted in relation to the design, house types and layout, with respect to materials and issues of highway and separation distance concerns, whilst also ensuring that the sustainable link to Stamford Street required by the outline permission can be achieved.

16. The application is supported by the following documents: Design and Access Statement (DAS); Tree Survey (Inc Constraints and Tree Protection Plan); Heritage Statement; Noise Assessment; Flood Risk Assessment and Addendum; Ecological reports

17. Site area is 7.7 hectares, density 33 dwelling/hectare.

Area of Public Open Space

18. An area of public open space will be provided offsite on land located off Canal Street between the River Stour and the Stourbridge Canal to meet the public open space requirements associated with the development. The proposed public open space site would lie immediately between the existing area of open space provided by the Doulton Brook Taylor Wimpey development and Riverside House. It will link the two areas together helping to form a larger well-connected area of public open space in this location.

HISTORY

19. There is a comprehensive planning history relating to a number of the previous commercial uses on both of the sites. None of which are of any relevance to this application. Applications of relevance are

APPLICATION No.	**PROPOSAL**	**DECISION**	**DATE**
P18/0921	Residential Development (Outline) (access to be considered)	Approved with conditions	12/11/2020
P21/0084	Demolition of 1no industrial	Approved	19/02/2021

	building, 1no weighbridge gatehouse, 1no carpentry building/storage area	with conditions	
P21/0130/PN11B	Prior notification for demolition of 1no gatehouse, derelict building and 2no tanks	Prior approval is not required	15/05/2021

PUBLIC CONSULTATION

20. In respect of the originally submitted plans, direct notification was carried out to the occupiers of 85 residential and commercial properties adjoining the site. A site notice was displayed, and an advertisement was placed in the local press. The date for comments to be received was 26th February 2021.

21. Councillor Nicolas Barlow welcomed proposals to develop the above brownfield site, however, objected to the application and he highlighted a number of concerns which are summarised below.

- He considered the designs of the properties to be poor. Lacking in character and not in keeping with an historic site and canal side location.
- He considers this is an overdevelopment of the site, many canal side developments are outstanding, this is not one of them.
- The number of “affordable”/social housing on a site of such a large scale is inadequate.
- Garages are never wide enough for modern family vehicles, there will be inconsiderate parking on pavements, blocking access; ruining grass verges; and over-spilling on to nearby roads.
- Comments made by Stourbridge Navigation Trust; Historic England And West Midland Police are endorsed.
- Consideration must be given to the wildlife and birds in the area along the canal.
- There will be a significant increase in traffic accessing/exiting Old Wharf Road on to High Street (A491).

Cllr Barlow states: *"I cannot support this application. It does not lend itself to The Stourbridge Canal Conservation Area, Stourbridge Area Action Plan (AAP) or the National Planning Policy Framework (NPPF)".*

22. In addition to the above, twenty-one individual letters of objection were received from surrounding residential occupiers, business and community groups; including the operators of Allens Transport; The Inland Waterways Association and Stourbridge Navigation Trust. A summary of the objections are given below.

Allens Transport

- We are very concerned on how this development will affect our long-established Transport company. If relocation is not possible due to cost and impacting on our staff, we are concerned this development will impact on the running of our transport company and this must be taken into consideration.
- We are concerned that whilst and development is in progress blocking and restrictions on the road would impact on our day to day running of our business.
- We would like assurances that this development will allow us to operate with no obstructions or restrictions.

Inland Waterways Association

- The proposal overdevelops the site.
- The garages and car parking spaces shown in the proposal are inadequate for the following reasons;
- Several areas of the development are not sensitive to the canal.
- This in turn will lead to it being used as a dumping ground and an area for anti-social behaviour.

Stourbridge Navigation Trust

- We can see little that would either complement or enhance the Conservation area.
- The mass, height and elevation profile of the flats are inappropriate to the setting and will dominate the canal and dwarf both the Bonded Warehouse and the Titan Works building.

- Fencing giving security to the site and the canal and moored boats is needed and meeting the required heritage standards.
- During the construction phase of the development, the Developers must ensure that means are taken to control the run-off of silt from the site.
- There would be removal of significant numbers of trees and shrubs from the canal banks that are known to support wildlife.

Issues raised by Local Residents

Design issues;

- The development does not preserve the special character of the Conservation Area.
- No attempt made to design properties that blend with the older buildings
- The apartments lack any character and are too high. They need to have balconies overlooking the canal.
- The dwellings do not make the best use of the land, bespoke design should be used to enjoy the canal side location.
- Some plots are too small. This is an overdevelopment and example of cramming as many plots on a site as possible.
- Materials used are not appropriate

Issues on use;

- Plans do not allow for mixed usage; suitable leisure facilities along the waterfront should be provided.
- The area should be used as a Heritage Facility.
- Tourism uses should be incorporated
- The development provides an opportunity for mixed use building to enhance the site and canal.
- Apartments are not needed
- Too much of a demand on road, amenities and local infrastructure

Amenity Issues;

- Overlooking of existing properties will occur
- There will be noise disturbance to nearby residents.
- Flats are closer to the Dry dock where we operate our business, we cannot be held liable for any noise nuisance.

Highways Concerns;

- There is not enough parking provided within the site.
- The development will exacerbate highway problems in the area

Impact to Wildlife and Trees;

- We need to preserve the existing canal bank fauna and flora.
- Complete loss of wildlife
- Removal of too many trees

23. In response to layout and design concerns raised by the case officer, various consultees and local residents; the applicants made significant revisions to the overall layout of the development and changes to the design of the houses and apartments were made. On submission of these amended plans a further 21-day consultation was carried out and letters were again sent to those 85 neighbouring occupiers and business and those who had made comments previously with the final date for comment being 16th July 2021.

24. In response, 10 letters of objection were received from nearby residential occupiers and business. Allens Transport reiterated their previous comments and Stourbridge Navigation Trust welcomed many of the improvements noting the amended design, height and mass of the apartments that overlook the Bonded Warehouse are much more suitable for this canal corridor environment. In addition, they consider that the designs of the adjacent houses are also much improved. Concern was still raised regarding surface water run off during the construction phase and the nature of the boundary between the site and the trusts land. Other comments made from residents include

- Plans are more sympathetic to the character of the conservation area.
- The balconies to the apartments are welcomed.
- The development should still be mixed use to open up the opportunities of the canal
- Concerns over the amount of traffic on the road are still raised.
- The link path would have serious impact on wildlife and require lots of land movement
- Links path would increase anti-social behaviour
- Concern about pressures on local infrastructure.
- The proposal is still bland and lacks character

- One single access cannot cope with the number of houses.
- Loss of wildlife
- Concern about cricket balls hitting the houses.
- Not appropriate to have large commercial vehicles conflicting with residential streets
- Allens Transport should be moved.

25. Finally, due to smaller changes with the respect to the layout and details of materials, further amended plans were received and a 10-day consultation was carried out with the final date for comments being 15th October 2021. Five additional letters of objection were received, reinterring comments with respect to the loss of wildlife to the north of the site, impact on highway safety and the impact of security and the need for appropriate fencing to the land controlled by Stourbridge Navigation Trust.

OTHER CONSULTATION

26. Head of Planning and Development (Highway Engineer):

The Highways Engineer advises that following detailed discussions with the applicants, that the highways layout is acceptable, subject to conditions, however, it is acknowledged that conflicts with the operation of Allens Transport will arise within the residential development adjacent to the yard that represent risk which will have to be managed.

27. Head of Planning and Development (Land Contamination Team):

No objection raised. A number of conditions were attached to the outline consent to address the risks posed by any land contamination and ground gases and vapours, including the submission of a risk assessment, remediation scheme and verification reports.

28. Head of Environmental Safety and Health:

The proposed layout in this reserved matters application proposed homes in close proximity to the retained Allens Transport Yard.

Condition 8 of outline approval P18/0921 requires a scheme for noise mitigation for dwellings on the site associated with the transport yard, and the suitability of the layout will depend on the scheme of noise mitigation that is acceptable to Development Management

29. Education Authority:

A contribution to local primary school places is requested. Notwithstanding these comments, this matter was addressed under the original outline application with the submission of an independently reviewed viability assessment, which concluded that an Education Contribution could not be supported.

30. Environment Agency:

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if a condition is added to ensure compliance with the submitted Addendum to the Flood Risk Assessment.

31. Historic England:

Response to original plans.

Historic England are pleased to see that a considerable amount of the housing in the Conservation Area is now of two or two and a half storeys, its layout addresses the canal and that the amount and layout of the taller apartment blocks has been amended.

Concerns remains regarding the design of the buildings and the choice of some materials neither of which achieve the quality proposed by the palettes submitted with the outline application. While the use of an industrial aesthetic for these larger buildings is welcomed, they are not convinced by the way it is carried through. The dominant symmetry and design and placing of windows and elevational features do not develop the industrial aesthetic but appear domestic or institutional. The use of timber cladding, gables and changes in roof line appears contrived and poorly articulated.

It is considered that the design language lacks conviction and as a result fail to create the visual interest, texture and architectural quality demanded in this sensitive location and necessary to high quality new placemaking.

Response to revised design and layout.

In response to layout and design changes Historic England are pleased to see that the architecture of the apartment blocks now has a clear industrially inspired identity with cladding, brickwork and fenestration used confidently to develop this character. In addition, they are equally pleased to see that the Braxton house type (and indeed the rest of the range) has developed a more grounded contemporary architecture that will contribute

positively to the development's sense of place. We would, however, again urge the use of grey fascias and natural slates in the conservation area. While there are some concerns over materiality, no objection is raised.

32. Canal and Rivers Trust:

No objection is raised subject to safeguarding conditions. The amended scheme now proposed appears to be a more sympathetic design in relation to the character of the adjacent canal corridor. In general, the buildings are set further back and thus have less of an overbearing impact. We also note that the western edge of the site facing the canal shows a more positive development set back with a softened edge, a positive mix of house types with street frontage, and cars that are between buildings or visually screened, with clear opportunities for connectivity, engagement and wellbeing aside the waterspace. Consider further opportunities for overlooking of the canal, and views through to it, should be maximised

Information provided within the Construction Ecological Management Plan appears to demonstrate adequately the sensitive protection of the canal environment during construction.

33. LLFA

The Drainage Strategy is acceptable, subject to conditions to ensure it is constructed in accordance with approved plans prior to occupation.

34. Severn Trent

No objection raised.

35. West Midlands Police

A number of 'Secured by Design' recommendations are made with respect to specific matters such as door locks and letter plates. It is recommended that the developer consequently apply for Secure by Design accreditation for the development in an effort to make them as secure as possible.

RELEVANT PLANNING POLICY

36. National Planning Guidance

- National Planning Policy Framework (2021)

- Technical Guidance to the National Planning Policy Framework (2012)
- Planning Practice Guidance (2014)
- Community Infrastructure Levy Regulations (as amended) (2014)
- Historic Environment Good Practice Advice in Planning 2 - Managing-Significance in Decision Taking (2015)
- Historic Environment Good Practice Advice in Planning 3 – Setting of Heritage Assets (2015)

37. Black Country Core Strategy (2011)

- CSP1 The Growth Network
- CSP3 Environmental Infrastructure
- CSP4 Place Making
- CSP5 Transport Strategy
- DEL1 Infrastructure Provision
- DEL2 Managing the Balance Between Employment Land and Housing
- HOU1 Delivering Sustainable Housing Growth
- HOU2 Housing Density, Type and Accessibility
- HOU3 Delivering Affordable Housing
- TRAN2 Managing Transport Impacts of New Development
- TRAN4 Creating Coherent Networks for Cycle and for Walking
- TRAN5 Influencing the Demand for Travel and Travel Choices
- ENV 1 Nature Conservation
- ENV 2 Historic Character and Local Distinctiveness
- ENV 3 Design Quality
- ENV 4 Canals
- ENV 5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV 6 Open Space, Sport and Recreation
- ENV 7 Renewable Energy
- ENV 8 Air Quality

38. Dudley Borough Development Strategy (2017)

- S1 Presumption in favour of Sustainable Development
- S3 Renewable Energy
- S4 Flood Risk
- S5 Minimising Flood Risk and Sustainable Drainage Systems (SuDS)

- S6 Urban Design
- S7 Landscape Design
- S8 Conservation and Enhancement of Local Character and Distinctiveness
- S9 Conservation Areas
- S10 Listed Buildings
- S11 Buildings of Local Historic or Architectural Importance
- S19 Dudley Borough's Green Network
- S20 The Borough's Geology
- S21 Nature Conservation Enhancement, Mitigation and Compensation
- S22 Mature Trees, Woodland and Ancient Woodland
- S25 Canals
- S29 Public Open Space
- S30 Public Open Space within New Large Housing Developments
- L1 Housing Development, extensions and alterations to existing Dwellings
- L3 Provision of Affordable Housing in New Developments
- L4 Type, Tenure and Location of Affordable Housing in New Developments
- D1 Access for All
- D2 Incompatible Land Uses
- D3 Contaminated Land
- D5 Noise Pollution
- D6 Light Pollution

39. <u>Stourbridge Area Action Plan (2013)</u>

- Policy 1 Urban Design
- Policy 6 Access for All
- Policy 10 Housing Mix and Tenure
- Policy 15 Nature Conservation
- Policy 16 Stourbridge Branch Canal
- Policy 17 Public Open Space
- Policy 18 Urban Heat Island
- Policy 19 Sustainable Urban Drainage Systems (SUDS) and Flood Risk
- Policy 20 Stourbridge Wharf
- Policy 21 Conservation and Enhancement of Local Character and Distinctiveness in Stourbridge
- Opportunity Site S11: Lowndes Road

- Opportunity Site S12: Old Wharf Road

40. Supplementary Planning Guidance/Documents

- Access for All Supplementary Planning Document
- CIL Charging Schedule (2015) (updated 2018)
- Historic Environment Supplementary Planning Document (Draft 2017)
- Nature Conservation Supplementary Planning Document (2016)
- New Housing Development Supplementary Planning Document (2013)
- Parking Standards Supplementary Planning Document (2016)
- Planning Obligations Supplementary Planning Document (2016)

ASSESSMENT

41. The main issues are

- Principle/Policy
- Historic Environment and Design
- Layout and Future Occupier Amenity
- Noise Impacts
- Highway Impacts
- Nature Conservation
- Flood Risk and Drainage
- Air Quality & Renewable Energy
- Landscape & Open Space Provision
- Planning Obligations
- Financial Material Considerations

Principle/Policy

42. The principle for the residential development of the site derives from the outline planning approval P18/0921 which approved the residential redevelopment of this former industrial site. Such approval is reinforced by the site being allocated as a Housing site in the Borough Development Strategy. The proposed development site falls within Regeneration Corridor 11B – Brierley Hill, Stourbridge identified for *'potential housing growth adjacent to Stourbridge town centre, around 920 dwellings*.' The Spatial Strategy for Regeneration Corridor 11B advises that the main focus for development will be housing growth on older, outdated and remote industrial land and premises, along with the canal network and close

to the town centres of Stourbridge and Brierley Hill. This will be coupled with improvements to the ecology links along the canal network and the River Stour.

43. The evidence base which supports the Local Plan designations – the identification of Old Wharf Road as site ref 22 within the Strategic Housing Land Availability Assessment (SHLAA) – with the site identified as contributing to the Borough's 5-year housing land supply

44. The Dudley Borough Development Strategy also includes overarching policies in relation to other environmental considerations which are discussed in more detail in subsequent sections of this report.

45. It is considered the principle of redeveloping these sites for residential purposes is a positive step in line with both national and local policy. The site is located within close proximity to established residential areas, close to public transport links and with easy access to local services. There is consequently alignment with the local plan policies in chief, especially in meeting the housing targets set out in Black Country Core Strategy (BCCS) Policy HOU1 (Delivering Sustainable Housing Growth) and given that the proposal represents sustainable development.

Historic Environment and Design

46. The proposed development lies adjacent to and partially within the Stourbridge Branch Canal Conservation Areas: Canal Street and Amblecote and within the setting of the Grade II* listed Old Foundry (now the Lion Health Centre). The significance of the conservation areas rests in the historical interest of the canalised River Stour and the Stourbridge Arm Canal as seventeenth- and eighteenth-century infrastructure responsible for catalysing the industrial development of Stourbridge as a centre of iron and glass working. The surviving canal structures (bridges, crane bases, spillways, wharfs, warehouses and dry docks), both designated and undesignated provide physical links with the few surviving industrial buildings they served with their archaeological remains. Thus, in addition to their high historical value, the conservation areas have evidential value in terms of their industrial archaeology. Extensive twentieth century demolition has fundamentally changed the character of the canal-based conservation areas and it both contributes to and detracts from their aesthetic value. Large vacant sites, a predominance of intrusive and ugly security fencing and the visual impact of building neglect and decay are insistent and negative

factors such that the Canal Street Conservation Area is considered to be at risk by Historic England.

47. The application represents a major change in the character of land within the setting of heritage assets that lies partially within the Stourbridge Branch Canal Conservation Areas of Canal Street and Amblecote. In this sensitive context proposals of this magnitude have the potential for substantial impact on significance and should be considered against policy contained within the NPPF.

48. When an LPA exercises planning functions in a Conservation Area, section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states, *'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.*

49. Section 66 (1) of the above act sets out the general duty of an LPA in respect of exercising planning functions in respect of listed buildings, *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural interest or historic interest which it possesses'*

50. A Design Brief was prepared as part of the outline submission to put forward parameters to ensure the site is developed in a way that respects the character and quality of the surrounding area.

51. Initial concerns regarding the design of the buildings and the choice of some materials were raised by both the Council Historic Environment Officer and Historic England. While the use of an industrial aesthetic was clear, there was dominant symmetry and elevational features that gave a more domestic or institutional feel.

52. In conjunction with officers, design meetings were held and revisions to the proposal have been made. The architecture of apartment blocks now have a clear industrially inspired identity, with appropriate cladding, brickwork and fenestration. In addition, the various house types have a more contemporary architecture that will contribute positively to the development's sense of place.

53. Significant changes to a number of plots which did not appropriately address corners have been made, giving dual aspect windows. Internal highways have been widened to improve vehicular access through the site. Apartments have been located to overlook open space and car parking areas and mitigation of noise impacts have been introduced near to the site's boundaries with Allens Transport.

54. Overall, the design and scale of the development is considered to be appropriate and the design of all apartments and houses to be acceptable.

Layout and Future Occupier Amenity

55. The proposed site layout arrangements are generally considered to be acceptable from a privacy and daylight point of view in terms of back-to-back distances and generally back to flank wall distances. There are some instances where gardens are a little short, in particular where the constraints of the site have resulted in certain layouts having to be devised. In particular, to the south of Old Wharf Road due to the limited width of the land between the road and canal, it was accepted that there would need to be areas where a number of space standards are relaxed in order to achieve a layout and design appropriate to the conservation area. It is now considered that there is high standard of design in this area and the desire to create high quality, sustainable housing far outweighs the minor shortfalls in garden space standards. These shortfalls are not of sufficient number to raise significant concern about the development as a whole.

Noise Impacts

56. The impact of noise on the future occupants of the development has been a consideration in the assessment of the application.

57. This site is potentially affected by several noise sources,

- Two industrial units located in Stamford Street to the north east of the site at higher level
- The Stourbridge War Memorial football stadium that directly adjoins the site to the east
- Titan Works that lies along the north of the site entrance road

- Johnsons Cleaners that is at the south of the junction of the entrance road with High Street
- Allens Transport Ltd., retained adjacent to the development site.

58. With respect to the first four elements above, there are limited concerns about potential noise from these areas, for example, crowd noise and loudspeaker noise from the stadium particularly during the football season. It is considered that suitable noise mitigation can be provided in the dwellings, or by adequate distance between the source and dwellings and conditions to ensure this were added to the previous outline application.

59. In relation to Allens Transport, this development will result in residential development to the boundaries of the site on three sides. It is appreciated that if retained that the company would still operate as existing with heavy goods vehicles passing along part of the access road of the housing estate. The submitted noise assessment suggests, however, that the design of dwellings to meet a modified internal standard will provide sufficient mitigation against noise generated by the business activities of Allens Transport. In addition to this a 3m high acoustic barrier is also considered appropriate as was envisaged to be necessary at the outline stage if the operation remained in place.

60. Whilst this situation is not generally ideal, this brownfield site has a strategic allocation for residential use and the mitigation measures will provide a reasonable measure of protection for the occupiers of the development and is therefore considered on balance, to be appropriate in this development which is in all other respects, appropriate and sustainable. Such mitigation will address the primary concern of noise impacts to allow a positive recommendation.

<u>Highway Matters</u>

61. The site has an access from the A491 High Street to the east, which is a single carriageway and subject to a 30mph speed limit. This was approved at outline stage and in order to mitigate impacts of development, a requirement for a contribution of £35,000 to pay for improvements to the highways in the local area, was secured via S106 agreement.

62. At present there is no publicly accessible link across the canal from the Old Wharf Road site to the open space provision on the south side of the canal. There is an existing bridge within the ownership of Stourbridge Navigation Trust which is not publicly accessible.

However, all reasonable endeavours are to be made to try and bring forward access across this bridge and a condition to secure this was attached to the outline approval.

63. In addition to the above, to improve permeability through the site and provide a safer route to schools, a pedestrian access from Stamford Street to the north of the Old Wharf Road site has been required to be designed into the proposal. This link would enable the provision of a safe route to school for children within the development by avoiding the A491 corridor. Land Ownership details confirmed that there would be no third-party ownership issues to overcome to ensure this access is provided. Further consideration on the exact engineering and route of this access is required to ensure no impact on the ecology of the site and to this end three potential routes are identified to the north of the site. The anticipated works could fall within 50m of the badger sett and therefore a licence from Natural England will need to be obtained. Such licence will need to confirm the exact works in the vicinity of the sett which will be completed in accordance with the method statement attached to the licence.

64. Highway engineer concerns were raised regarding the nature of parking across the site. The proposal provides car parking in accordance with the guidance contained within the Council's Car Parking Standards SPD. Where there are two external spaces, a third is provided within garages which accord with the required space standards. The Parking Standards SPD allows for a condition to be imposed on developments to ensure that garages are used only for the purpose of parking a vehicle. Also, enclosures to route pedestrians from parking areas to entrance doors to minimise on street parking as a result of remote parking design can be provided. Conditions for enclosures and requiring garages to be used only for parking of a vehicle have been included and it is therefore considered the Highways Engineers concerns have been mitigated in this respect.

65. Further, the applicant has sought to ensure that while Allens Transport remains on site and operates wide load haulage vehicles, that potential conflict with pedestrians within the residential has been mitigated as far as possible. An assessment of vehicle activity in the section of Old Wharf Road has been undertaken by consultants which concludes that there is limited potential for conflict taking into account the operators 15 vehicles. The design has been predicated on the basis that vehicles accessing Allens Transport yard will do so along a haulage route of Old Wharf Road and its direct extension to the transport yard. On this haulage route, pedestrian Footways within the application site are separated from the carriageway with either a 1m verge or 1.5m emergency strip buffer. The bend from the Old

Wharf Road extension leading to Allens Transport yard has been designed to allow for a large articulated vehicle to pass a car or for a wide abnormal load to traverse unopposed. In addition, a Prohibition of Waiting Order is required by condition to keep the haulage route free of parked vehicles. High kerbs, bollards and trees will be required within the design in order to help to enforce this prohibition and these features will be required by condition. A 7.5 Tonne weight limit Traffic Regulation Order is also required by condition to prevent large vehicles traversing into other roads of the development. The applicant has provided vehicle tracking drawings showing how a large abnormal load vehicle will manoeuvre and reverse on and off the residential street into the Transport yard entrance within the curtilage of the carriageway. However, the Highway Engineer advises, notwithstanding that limited manoeuvres area likely, that the reversing of large commercial vehicles in a public area with potential cyclists and pedestrians results in a potential accident scenario which should be managed or avoided if possible. It should be noted that the operator of Allens Transport has actively sought to relocate from the site on a number of occasions, to what would be a more suitable location and will continue to do so with support from the applicant, given the allocation of this major brownfield site for housing and outline planning approval for residential development. The applicants advise that if the current application is approved, that the area around the transport yard will be the last to be developed and that is likely to happen towards the end of a four year period.

66. Given due consideration of the above matters and the balance of planning considerations in bringing forward the development of a major brownfield site, it is considered that highway issues have been mitigated as far as is possible such that approval can be recommended.

Nature Conservation

67. Where, exceptionally, the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological features, damage must be minimised. Any remaining impacts, including any reduction in area, must be fully mitigated. Compensation will only be accepted in exceptional circumstances. A mitigation strategy was submitted with the outline application and conditions added to that approval.

68. In terms of protected and notable species, the site supports low numbers of foraging and commuting bats and there are badger setts on site. Specifications for new planting and

other habitat creation should be provided with a detailed soft Landscaping Scheme secured by planning condition. In addition, measures to restore and enhance existing habitats, to ensure successful establishment of new habitats, and to maintain the value of all ecological features in the long-term are to be detailed within an Ecology Management Plan secured by planning condition on the outline application. A specific Ecological Report was commissioned by the Council to identify the specific location of Badger presence both within and outside the site with particular reference to accommodating the required pedestrian link to Stamford Street. The conclusion of the report was that main presence lay offsite and that a licence was potentially able to be granted by Natural England for works to accommodate one of the three potential pedestrian links identified on plans.

Flood Risk and Drainage

69. The majority of the sites are located within Flood Zone 1 with small section to the south east section of the Old Wharf Road site being within Flood Zones 2 and 3 of the River Stour on the indicative Environment Agency Flood Zone Map. At outline stage a condition was added to restrict any development outside of the Flood Zone 1. However, current hydraulic modelling results were undertaken in 2010 and do not account for a) site-specific topographic survey date, b) revised River Stour modelling work undertaken for a medical centre at Bradley Road (Planning application P18/1367) and c) the benefit of the fluvial flood mitigation work associated with the proposed medical centre (which was delivered in 2019/2020).

70. An addendum to the Flood Risk Assessment which takes into account the revised works and modelling has been submitted and forwarded to the Environment Agency for comment. As a result of this, they raise no objection to the application subject to the works being carried out in accordance with this addendum.

71. A suitable sustainable drainage strategy has also been submitted, to which the LLFA raise no objection to subject to a condition to ensure it is completed in accordance with the details submitted. This strategy accommodates an area of water storage in a balancing feature to the south of Old Wharf Road (in the conservation area) which will also provide for views across the canal to the south.

Air Quality & Renewable Energy

72. Implementation of Best Practice Measures will help reduce the impact of the construction activities to an acceptable level and further mitigation measures are suggested, such as the implementation of Travel Plans, the use of Electric Vehicle Charging points and low emission gas boilers. Conditions to support this have been attached to the outline application.

73. Black Country Core Strategy ENV7 – Renewal Energy requires major proposals to provide 10% of onsite energy requirements drawn from onsite micro generation, such as through solar panels. In this instance the applicant intends to utilise a combination of solar panels and enhanced construction. The configuration of the development with gable roof slopes facing the south where possible will assist in this consideration.

Landscaping & Open Space Provision

74. An area of public open space will be provided offsite to meet the public open space requirements associated with the development by extending and enhancing an existing area. The proposed site of the public open space sits immediately between the existing area of open space provided by Taylor Wimpey and Riverside House and would link these two areas together helping to form a larger well-connected area of public open space in this location, completing the development and enhancement of this part of the Conservation Area.

75. A landscape masterplan has been submitted, however a detailed landscaping scheme will be required by condition that will ensure that the other areas of open space within the site will function appropriately and mature with the development. Such landscaping will include the provision of street trees within the highway verges and built out features.

Planning Obligations

76. Black Country Core Strategy (BCCS) Policy DEL1 'Infrastructure Provision' sets out the adopted policy framework for Planning Obligations within Dudley and the Planning Obligations SPD provides further detail on the implementation of this policy; these policy documents were prepared in accordance with national legislation and guidance on planning obligations.

77. Policy DEL1 requires all new developments to be supported by sufficient on and off-site infrastructure to serve the development, mitigate its impact on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area.

78. In determining the required planning obligations on this specific application, the following three tests as set out in the Community Infrastructure Levy (CIL) Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:

a) necessary to make the development acceptable in planning terms;
b) directly related to the development;
b) fairly and reasonably related in scale and kind to the development.

79. A S106 obligation attached to the outline planning approval set requirements for this development site which included provision for local highway improvements. The outline planning approval also addressed the requirement for affordable housing to be accommodated on the Tudor Dairies section of the overall site.

Financial Material Considerations

80. Section (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application. A 'local finance consideration' may be taken to cover the payment of New Homes Bonus, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).

81. The section does not change the law in any way. It is not a new basis for planning policy, and it remains unlawful for planning permissions to be 'bought'.

82. This proposal would provide 256 dwellings generating a New Homes Bonus grant of 256 times the national average council tax for the relevant bands.

83. The main part of the site off Old Wharf Road is within Zone 1 and therefore not subject to a CIL charge.

84. Whilst these are significant sum(s) of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

CONCLUSION

85. Submitted information and revisions to proposals have confirmed that the scheme will constitute a sustainable development which is acceptable in terms of both National and Local planning policy. The development is considered to have considered and mitigated planning harm and given due consideration to highway issues and the balance of planning considerations in bringing forward the development of a major brownfield site. subject to the imposition of appropriate conditions which will address physical and natural impacts arising from the development it is considered that approval can be recommended.

RECOMMENDATION

86. It is recommended that the application be APPROVED subject to the attached conditions.

Conditions and/or reasons:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Development Layout C5139/001_02 Rev D; Development Layout C5139/001_03; Housetypes: BRAXTON A/A(R)/B/CON Rev A; BYFORD A/A(G)/A(R)/B/B(G)/CON; CANFORD B; EASDALE A/B/B(C)/CON; GOSFORD A/B/B(G)/CON; HUXFORD A/A(G)/A(R)/B/B(G)/CON; LYDFORD A/A(R)/B/B(G)/CON; MANFORD B; MIDFORD A/A(G)/A(R)/B/B(G)/CON; TRUSDALE A/A(C)/A(R)/B(C)/CON; Double Garage B/CON/G; Single Garage CON/G; APARMENT BLOCK A - C5139/400_00 Rev A; C5139/400_01 Rev A; C5139/400_02 Rev A; C5139/400_05; C5139/410_01 Rev A; C5139/410_02 Rev A; C5139/410_03 Rev A; C5139/410_04 Rev A; APARTMENT BLOCK B: C5139/430_00 Rev A; C5139/430_01 Rev A; C5139/430_02 Rev A; C5139/430_05; C5139/440_01 Rev A; C5139/440_02 Rev A; C5139/440_03 Rev A; C5139/440_04 Rev A; Apartment BLOCK C; C5139/460_00 Rev A; C5139/460_01 Rev A; C5139/460_02 Rev A; C5139/460_05; C5139/470_01 Rev A; C5139/470_02 Rev A; C5139/470_03 Rev A; C5139/470_04 Rev A; Location Plan LP-01; Landscape Masterplans LA5330 001A.
2. The development shall be carried out in complete accordance with the Materials Distribution Plan C5139/100_01 Rev B unless otherwise agreed in writing by the Local Planning Authority.
   REASON: In the interests of the visual amenities of the area and to comply with BCCS Policies CSP4 - Place-Making and ENV2 - Historic Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban

Design and Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part)

3. Notwithstanding the details on Boundary Treatments Plan C5139/100_02 Rev D no above ground development shall commence until details of the materials to be used in the construction the boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Such details shall also show specific boundary types, construction and materials of the boundary treatment to be provided between the southern boundary of the development site and the canalside moorings. The boundary treatment shall be erected in full accordance with the approved details and shall be maintained as such for the life of the development.
   REASON: In the interests of the visual amenities of the area and to comply with BCCS Policies CSP4 - Place-Making and ENV2 - Historic Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part)
4. Unless the residential development of the haulage yard shown on Development Layout C5139/001_02 can be assured or its lawful use as a haulage yard has been extinguished or otherwise no longer exists, prior to the occupation of plots 158; 163; 164 and 176 the acoustic barrier of 3m in height and surface density of not less than 10kg/m2 along the northern and southern boundaries of the haulage yard shall be installed and retained and maintained for the life of the development, as necessary.
   REASON: To safeguard the amenities of the future occupants of the dwellings at the site in accordance with Borough Development Strategy Policies L1, D2 and D5.
5. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
   - A timetable for its implementation, and
   - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime of the development.
   None of the development shall be occupied until surface water drainage works have been implemented in accordance with the approved details.
   REASON: In the interests of sustainability, reducing flood risk and run off and to comply with Adopted BCCS Policy ENV5 - Flood Risk, Sustainable Drainage Systems and Urban Heat Island.
6. Notwithstanding the details on the Landscape Masterplan (LA5330 001A); development shall not commence (excluding demolition, site clearance and initial ground works) until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details must include, where appropriate, planting plans, written specifications, a schedule of plants including species, plant sizes and proposed numbers/densities and a programme of implementation. Plans must also

include accurate plotting of all existing landscape features. The agreed scheme shall be implemented in accordance with the approved details within the first planting season following the first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.
Any trees or shrubs planted in pursuance of this permission including any planting in replacement for it which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.
REASON: In order to make a positive contribution to place-making and provide a high quality landscaping and to ensure that the approved landscaping is properly maintained in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part).
This detail is required pre commencement (excluding demolition, site clearance and initial ground works) as landscaping is integral to providing a high quality and sustainable development.

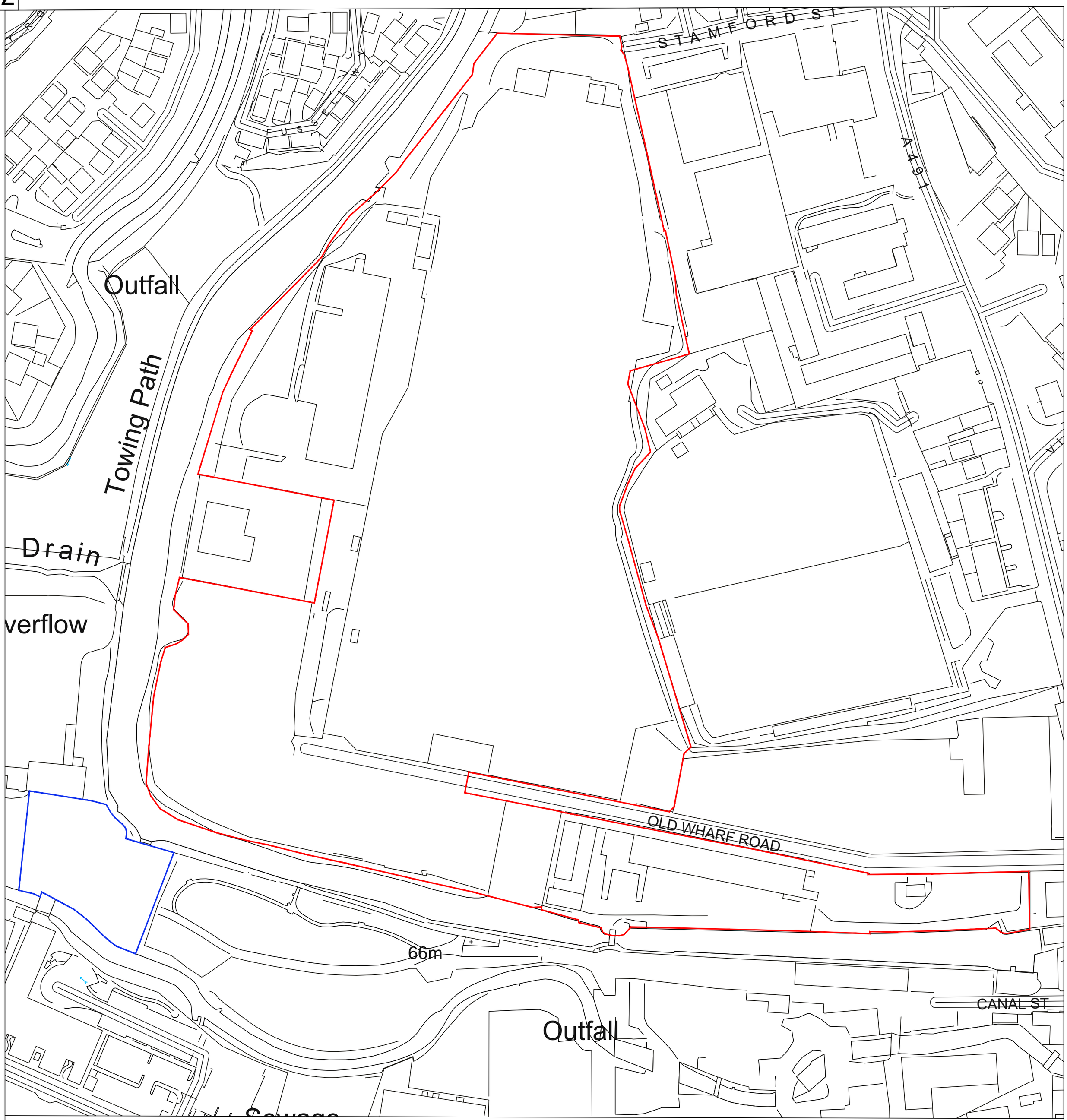
7. The development shall not be first occupied until a schedule of landscape maintenance to the areas of open space and any communal areas (excluding private gardens), including details of its implementation for a minimum period of five years from first planting has been submitted to and approved in writing by the Local Planning Authority. The open space and any communal areas shall thereafter be cared for in accordance landscape maintenance scheme.
REASON: In order to make a positive contribution to place-making and provide a high quality landscaping and to ensure that the approved landscaping is properly maintained in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and LR1 - Open Space
8. The development hereby approved shall be undertaken in complete accordance with the details contained within the submitted Arboricultural Method Statement. Any variation or amendment of the submitted Arboricultural Method Statement shall be approved in writing with the Local Planning Authority before implementation on site.
REASON: To ensure that existing trees are not damaged through the loss of roots, to maintain the visual and environmental quality of the site and surrounding area in accordance with Borough Development Strategy 2017 Policy S22 Mature Trees, Woodland and Ancient Woodland (in part).
9. Development shall not commence until details of the position, layout and programme for the construction & bringing into use of the access to Stamford Street has been submitted to and agreed in writing by the local planning authority. The access shall be constructed in accordance with details submitted and shall be brought into use as soon as any residential development on the land north of Old Wharf Road is occupied and the access is able to link safely and conveniently to roads or footways which have been constructed to at least

base course level with an ability to link to Old Wharf Road.
REASON: To facilitate access into & out of the development by sustainable modes of transport and to ensure that residents are not put at risk by travel through a construction site.

10. No part of the development shall be occupied until visibility splays onto (Old Wharf Road or up to its extension (to Plot 170 ON Ste Layout Plan D) the Highway) have been provided at the junction between the proposed means of access and the highway with an 'x' set back distance of 2.4 metres and a 'y' distance of 59 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety and to comply with development plan Policies [DD1, DD4, CSP5, DEL1, TRAN2, CEN8 and TRAN5].
11. No part of the development shall be occupied until visibility splays onto an access road other than (Old Wharf Road or up to its extension (to Plot 170 ON Ste Layout Plan D) the Highway) have been provided at the junction between the proposed means of access and the access road with an 'x' set back distance of 2.4 metres and a 'y' distance of 33 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety and to comply with development plan Policies [DD1, DD4, CSP5, DEL1, TRAN2, CEN8 and TRAN5].
12. No part of the development shall be occupied until visibility splays onto a Footway have been provided at the junction between the proposed means of access and the Footway with an 'x' set back distance of 2.4 metres and a 'y' distance of 2.4 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety and to comply with development plan Policies [DD1, DD4, CSP5, DEL1, TRAN2, CEN8 and TRAN5].
13. No development shall commence (excluding demolition, site clearance and initial ground works) until details of the Highways Works (Prohibition of Waiting) has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed Highway Works have been completed in accordance with the approved details.
REASON: In the interests of highway safety and to comply with development plan Policies [DD1, DD4, CSP5, DEL1, TRAN2, CEN8 and TRAN5].
14. No development shall commence (excluding demolition, site clearance and initial ground works) until details of the Highways Works (7.5 Tonne Environmental Weight Restriction Traffic Regulation Order) has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed Highway Works have been completed in accordance with the approved details.
REASON: In the interests of highway safety and to comply with development plan Policies [DD1, DD4, CSP5, DEL1, TRAN2, CEN8 and TRAN5].

15. The dwelling(s) shall not be occupied until details of a Parking Management Plan for the apartments parking area has be submitted to and approved in writing by the Local Planning Authority (The Parking Management Plan will ensure that no parking spaces are allocated for the sole use of any apartment). This Parking Management Plan shall be provided in accordance with the approved details prior to the first occupation of the dwelling(s) and shall thereafter be retained and maintained for no other purpose, for the life of the development.
    REASON: In the interests of highway safety and to comply with development plan Policies [DD1, DD4, CSP5, DEL1, TRAN2, CEN8 and TRAN5].
    INF9 - Informative Adoption of Highways Section 38
    The development as proposed contains highways that will be of sufficient public utility to warrant their dedication as public highways under Section 38 of the Highways Act 1980. The development layout, as shown on Dwg. No. SLTW-01 is solely a preliminary design, which will subject to the relevant Road Safety Audits and may require amendments in order to gain Technical Approval of the detailed highway design as part of the Section 38 adoption process.

A2



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LAND OFF OLD WHARF ROAD, STOURBRIDGE

For guidance only. Do not scale off this drawing

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Project: Titan Works, Old Wharf Road, Stourbridge

Drawing: LOCATION PLAN

Scale: 1:1250 @ A2

Drawn: GR	Project no.	Drawing no.	Rev.
Date: May 2020	3010	LP-01	-

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Schedule of Accommodation

TYPE	HT CODE	REF	DESCRIPTION		LAYOUT MIX			
			STOREY	BEDS	SQFT (struct gross)	PLOTS	TOTAL SQFT	% of Mix
(Private)								
Canford	PA25	CAN	2	2	689	10	6890	4
Gosford	PA34	GOS	2	3	866	40	34640	16
Easedale	PT36	EAS	2	3	931	12	11172	5
Byford	NA32	BYF	2	3	976	17	16592	7
Braxton	NB31	BRAX	2.5	3	1092	29	31668	11
Lydford	PA42	LYD	2	4	1099	15	16485	6
Midford	PA44	MID	2	4	1170	26	30420	10
Huxford	NA42	HUX	2	4	1175	19	22325	7
Trusdale	NT41	TRUS	2	4	1243	25	31075	10
Manford	NA44	MAN	2	4	1385	8	11080	3
1 bed flat	-	-	1	1	539.3	10	5393	4
2 bed flat	-	-	1	2	723.3	41	29655.3	16
Converted	-	-	2	4	900	4	3600	2
							250995.3	100
		Units/NDA			17.67	256	sqft/net acre	
		Average sqft			980.45		17321.97	

House Type Mix %		
2beds	10	5%
3beds	98	49%
4beds	93	46%
	201	100%

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All dimensions to be checked on site and architect notified of any discrepancies prior to commencement.
Do not scale.

any and all elements relating to the fire safety of the building will require separate confirmation and approval by fully accredidted fire engineering consulatant who has to be appointed by the client

Notes:

- Existing retaining wall
- Red Line Boundary
- 2m Grasscrete Strip
- 5m Cliff Buffer
- Ecology Buffer Offsets/ Zone

Rev:	Date:	Comment(s):	Name:	Check:
D	06.10.21	Existing retaining wall shown; Path Option A and cliff buffer amended / relocated to suit. Key Updated.	SAO	SAO
C	30.09.21	Ecology measured added. HGV charge points added.	SB	SB
B	24.09.21	Amends to site layout made as per LPA comments recieved 14.09.21.	SB	SB
A	06.08.21	Plot subs to plots 194-196 and 111-113; minor layout amends as per client comments.	JSW	DZ/ SB

Status: PLANNING RIBA Stage: 3

client: Taylor Wimpey North Midlands

Project: Old Wharf Road, Stourbridge

Title: Development Layout

Drawn: BDF Date: 18.05.21

Checked: BDF Scale @ A0: 1:500

Pro. No:
Drg No: C5139/001_02 Rev D

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Development Layout