

PLANNING APPLICATION NUMBER: P09/1618

Type of approval sought	Full Planning Permission
Ward	UPPER GORNAL & WOODSETTON
Applicant	Mr Duncan Lowndes, Dudley MBC
Location:	WRENS NEST NATURE RESERVE, NORTH OF WRENS HILL ROAD, WRENS NEST, DUDLEY, WEST MIDLANDS
Proposal	ACCESS IMPROVEMENTS AROUND WREN'S NEST NATIONAL NATURE RESERVE TO INCLUDE FOOTPATH AND STEP IMPROVEMENTS, NEW HANDRAILS, FENCING, VIEWING PLATFORMS, WHEELCHAIR ACCESS AND CONSTRUCTION OF VISITORS CAR PARK
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site comprises the Wrens Nest National Nature Reserve (NNR) which is a designated Scheduled Ancient Monument and a Site of Special Scientific Interest (SSSI). It specifically consists of that part to the south of Wrens Hill Road and bounded on its other sides by Hillside Road, Meadow Road, Bluebell Road, Linwood Road and Bluebell Park. It lies about 2 km north of Dudley town centre.
2. The NNR currently has a signposted car park off Priory Road although a number of visitors use the Dudley College car park which is located in the centre of the site at the top of Wrens Nest Hill.

PROPOSAL

3. The Council has a long-term vision for Wrens Nest NNR which has formally been agreed by the Council and its partners. A Management Plan for the site has been adopted by the Council and Natural England, as well as being supported by English Heritage.

4. In September 2008, the Council was successful in receiving a Stage 1 pass from the Heritage Lottery Fund for implementing the first phase of the overall vision for the NNR, a project called 'Ripples through Time' which is the subject of this planning application.
5. The 'Ripples through Time' project proposes work in three main areas:-
 - Physical development to improve access to the NNR - including improvements to entrances, paths, steps and fencing and creating a new accessible route around the NNR.
 - Re-instating public access to the Seven Sisters mine area - the principal scheduled monument feature of the NNR - which has been fenced off and inaccessible to the public for the last 7 years.
 - Developing a programme around people and education, including providing opportunities for training and learning.

The proposals are all supported and identified within the NNR's Management Plan, which has been adopted by the Council and Natural England, in addition to being supported by English Heritage.

6. As detailed in the Environmental Impact Assessment which accompanied the application, the proposals are for the following:-
 - Access improvements to the 'Arterial Route' to allow mobility scooters/wheelchair access to the Seven Sisters Mine.
 - Removal of existing stone fill to the front of Pillar 2 and 3 and the northern portal of the Seven Sisters Upper Gallery Mine to enable enhanced views of the geological structure of the pillars.

- Installation of viewing platforms to the eastern, northern and southern elevations of the Seven Sisters Upper Gallery Mine, including aesthetic fencing improvements.
 - Replacement and reconstruction of the existing 'Quarry Steps'.
 - Construction of a small visitors' car park on Wrens Hill Road.
 - Minor works consisting of fence repairs, stile replacement, installation of waymarkers and interpretation points and fence painting to improve site security, interpretation and ease of orientation for visitors.
7. In support of the physical works, there will be a programme of education, learning and interpretation, of which engagement with the local community will be a key part, including developing skills for individuals through their involvement and delivery of small scale landscaping projects such as step replacements and footpath improvements.

HISTORY

8. Since 1990, a number of applications for safety fencing and stabilisation works on Wrens Nest Hill have been approved

PUBLIC CONSULTATION

9. Notification letters were sent to over 100 residential and other properties surrounding the reserve. The application was also publicised by way of a site notice and in the local press.
10. Initially, Access in Dudley objected to the proposed use of 'chicane' access barriers at the entry points to the NNR rather than Radar key gates. Following discussions, the applicant has agreed to the use of Radar keys subject to strict monitoring of the situation with respect to unauthorised access by motorcycles or other vehicles. If

there is an increase in incidents of unauthorised access and this can be proven to link directly to the misuse of Radar keys, then access would revert to the originally-intended padlocked access barriers. Access in Dudley are agreeable to this.

OTHER CONSULTATION

11. Natural England: no objection subject to the development being carried out in strict accordance with the submitted details.
12. Group Engineer (Development): no objection.
13. Nature Conservation Officer: no objection provided no artificial lighting is carried out and subject to a condition requiring the recommendations of the Environmental Impact Assessment report being carried out.
14. Access Officer: no objection subject to the use of Radar lockable gates rather than padlocked access gates/chicanes.

RELEVANT PLANNING POLICY

15. Unitary Development Plan

- DD9 Public Art
- DD10 Nature Conservation and Development
- NC1 Biodiversity
- NC2 Special Areas of Conservation and Sites of Special Scientific Interest
- NC6 Wildlife Species
- NC7 Geological Resource
- S2 Creating a more sustainable Borough
- S3 Green Assets
- S4 Heritage Assets
- S9 Economic Vitality

- S16 Access and Movement
- EE5 Tourism
- EE6 Cluster Development
- AM12 Pedestrians
- AM13 Public Rights of Way
- AM14 Parking
- AM15 Personal Mobility
- HE8 Archaeology and Information
- HE9 Scheduled Ancient Monuments and other Sites of National Importance

Supplementary Planning Documents

Parking standards and Travel Plans
Nature Conservation

National Policy Documents

PPS9 Biodiversity and Geological Conservation
PPG17 Planning for Open Space, Sport and Recreation.

The Dudley Rights of Way Improvement Plan published in August 2009 identifies the need to improve access to the Borough's visitor attractions, including its nature reserves. The Plan identifies and supports the current proposals for Wrens Nest NNR.

ASSESSMENT

16. The key issues are:-

- Access and movement for people with disabilities.
- Impact upon the geology and natural history of the NNR.

Access and movement for people with disabilities

The primary aim of the proposed works is to improve access to and movement within the NNR for disabled visitors. The Management Plan states that the site's terrain 'does not lend itself very well to access for visitors with limited mobility as there are many steep cliff faces, flights of steps and paths that are uneven under foot due to loose scree'.

Access gates are an issue on this NNR. To prevent access by motorbikes, quad bikes and mini motos it has been necessary to erect steel gates that are also a barrier to wheelchairs, necessitating warden assistance for disabled visitors. The objective has, therefore, been to provide an entrance barrier that can permit unaided access by wheelchairs, pushchairs, etc. but prevent entry by motorised vehicles.

The current proposals have been informed by a Disability Access Audit undertaken by disability consultants and a Walk and Talk Access Audit for the NNR undertaken by Access in Dudley. The majority of recommendations have been included in the plans. These have included the location of the proposed car park, entrance gate redesign, path surface improvements and viewing platform improvements at the Ripple Beds.

Notwithstanding their input into the design, Access in Dudley did have concerns that the chosen entrance barrier design to the NNR from the main access points would make access for some disabled wheelchairs and scooters difficult. Following discussions, the applicant has agreed to install Radar key operated gates as preferred by Access in Dudley subject to this being reviewed if the incidence of access by unauthorised vehicles onto the reserve increases.

Access in Dudley's other concerns relating to the provision and colour of handrails, the safety of the viewing platform as originally designed, the treatment of the path surfaces and the step heights were also discussed and a level of agreement reached. It must be appreciated that certain design solutions could not be

undertaken because of restrictions from Natural England (the NNR is a Scheduled Ancient Monument and Site of Special Scientific Interest) on alterations to the land form.

Impact upon the geology and natural history of the NNR

Natural England have been involved in the preparation of the proposals and have raised no objection to the application. It is their view that the proposals will not have a significant effect on the interest features of the SSSI. Natural England is a statutory consultee in such cases.

The Council's Nature Conservation Officer concurs with this view.

CONCLUSION

17. The Management Plan for the NNR has identified access to and movement within the reserve, particularly for people with disabilities, as a key priority for action. Significant funding has been secured for the project from the Heritage Lottery fund. An Environmental Impact Assessment has been submitted because of the site's designation as a Site of Special Scientific Interest and Scheduled Ancient Monument. No objection has been received from Natural England who have been closely involved in the development of the proposals. The concerns of the local access group, Access in Dudley, have been addressed. There have been no objections from the numerous local residents living around the reserve following extensive publicity of the application. The Access Officer and Nature Conservation Officer have also raised no objections. The proposals fully accord with the relevant policies in the UDP as well as the adopted Management Plan for the reserve.

RECOMMENDATION

18. It is recommended that the application be approved, subject to the following conditions:-

Reason for the grant of planning permission

The Management Plan for the NNR has identified access to and movement within the reserve, particularly for people with disabilities as a key priority for action. Significant funding has been secured for the project from the Heritage Lottery fund. An Environmental Impact Assessment has been submitted because of the site's designation as a Site of Special Scientific Interest and Scheduled Ancient Monument. No objection has been received from Natural England who have been closely involved in the development of the proposals. The concerns of the local access group, Access in Dudley, have been addressed. There have been no objections from the numerous local residents living around the reserve following extensive publicity of the application. The Access Officer and Nature Conservation Officer have also raised no objections. The proposals fully accord with the relevant policies in the UDP as well as the adopted Management Plan for the reserve.

The decision to grant permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

Note for applicant

The development hereby permitted shall be built in accordance with the approved plans numbered _____ unless otherwise agreed in writing by the Local Planning Authority.

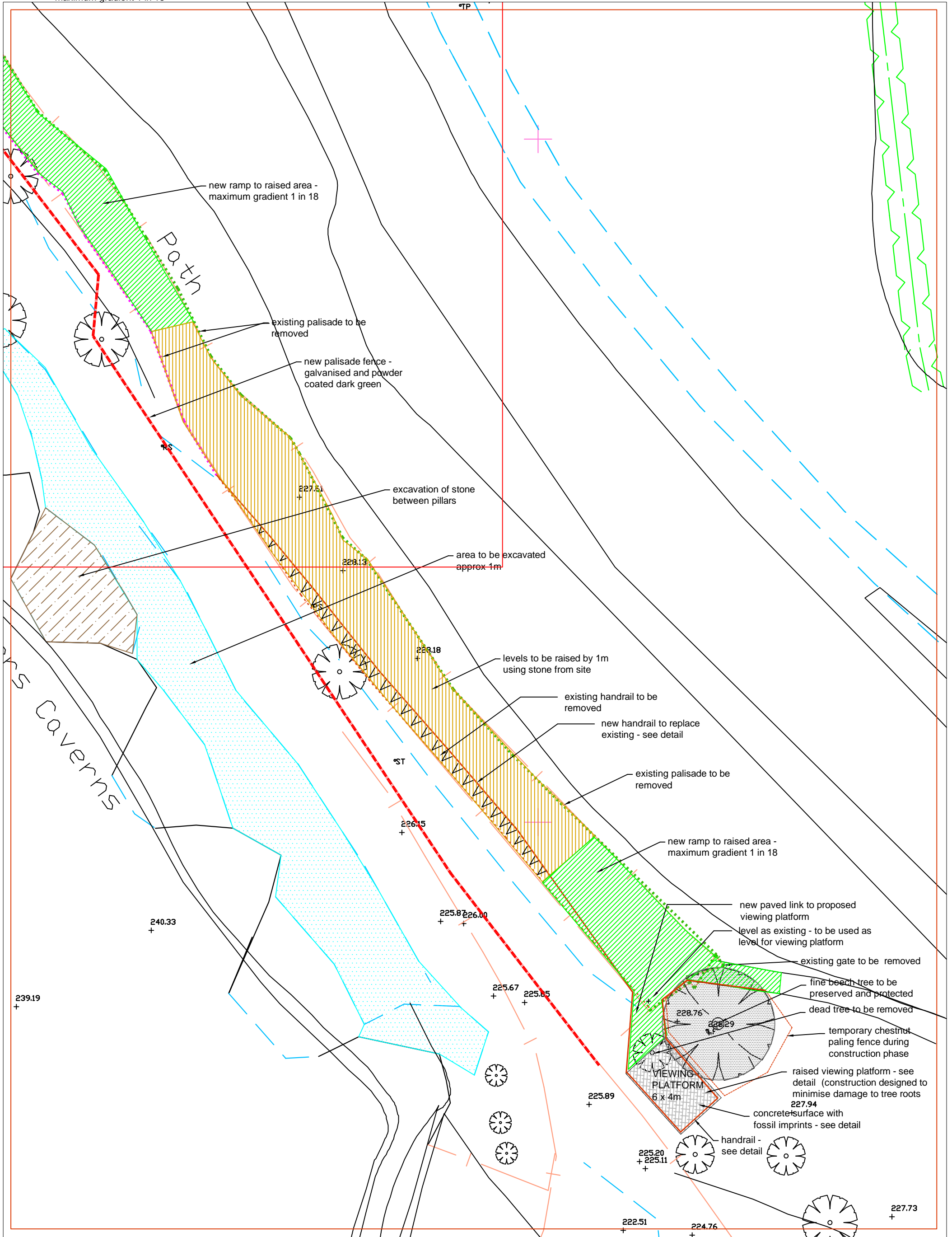
Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The recommendations of the submitted Environmental Impact Assessment report (including Appendices) dated August 2009 shall be carried out. No deviation from these recommendations shall take place without the prior written approval of the local planning authority. All works shall be carried out in accordance with the report.
3. The access barriers at the Level 1 and Level 2 paths shall be operated by Radar keys unless otherwise agreed in writing by the local planning authority



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maximum gradient 1 in 18

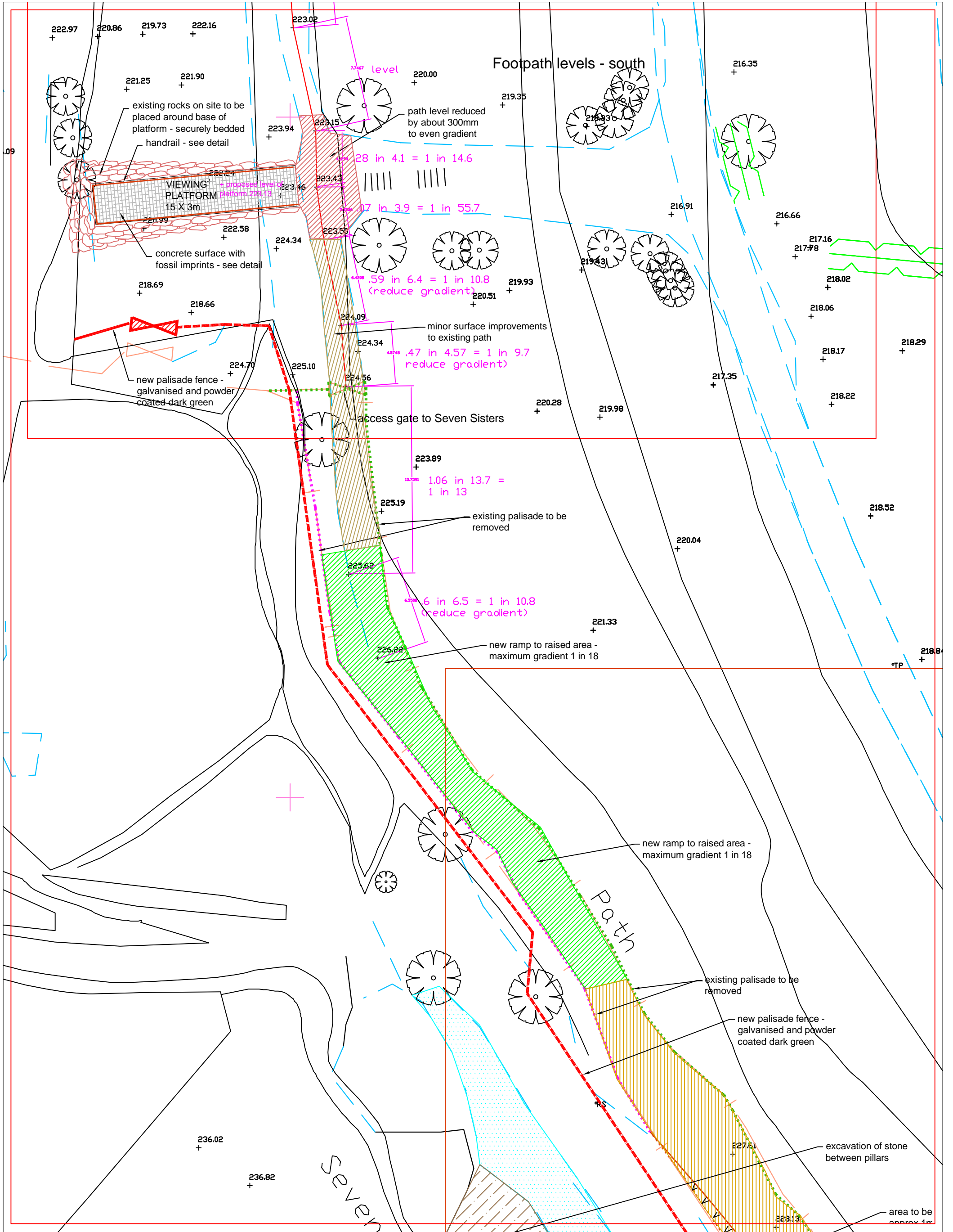


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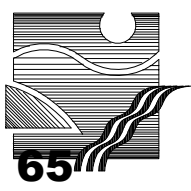


client	Dudley Metropolitan Borough Council	drawn by	TN	date	Aug 2009
project title	Wren's Nest National Nature Reserve	scale	1:250	print size	A3
drawing title	Seven Sisters improvements - south	project no.	drawing no.		
		NJL 1683 /S16			
revision					



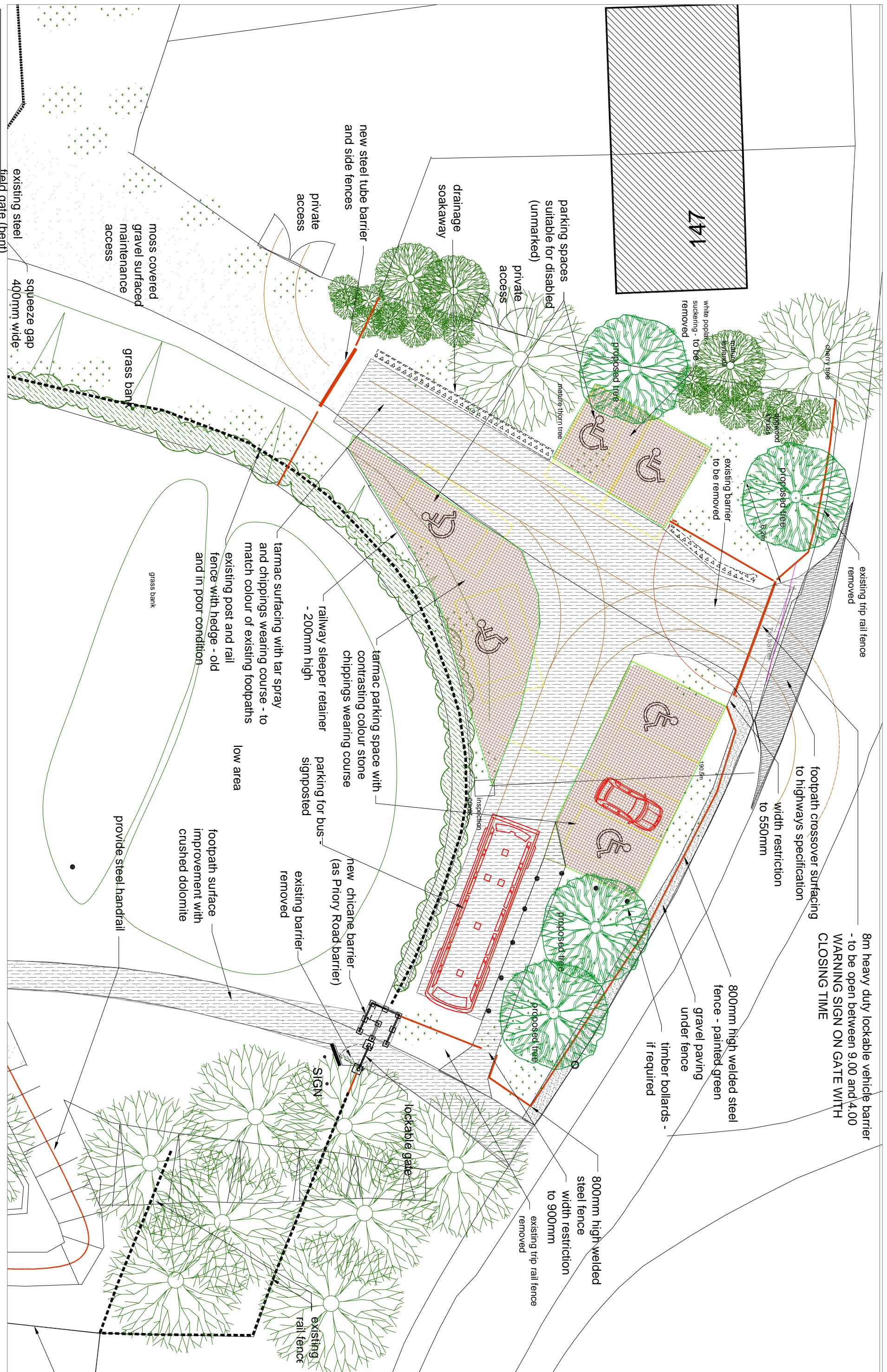
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client
Dudley Metropolitan Borough Council
 project title
Wren's Nest National Nature Reserve
 drawing title
Seven Sisters improvements - north

drawn by TN	date Aug 2009
scale 1:250	print size A3
project no. NJL 1683 /S15	drawing no.
revision	



8m heavy duty lockable vehicle barrier
 - to be open between 9.00 and 4.00
 WARNING SIGN ON GATE WITH
 CLOSING TIME

footpath crossover surfacing
 to highways specification
 width restriction
 to 550mm

800mm high welded steel
 fence - painted green
 gravel paving
 under fence
 timber bollards -
 if required

800mm high welded
 steel fence
 width restriction
 to 900mm
 existing trip rail fence
 removed

new steel tube barrier
 and side fences
 private
 access

parking spaces
 suitable for disabled
 (unmarked)
 private
 access

drainage
 soakaway

moss covered
 gravel surfaced
 maintenance
 access

existing steel
 field gate (bent)

squeeze gap
 400mm wide

grass bank

tarmac surfacing with tar spray
 and chippings wearing course - to
 match colour of existing footpaths
 existing post and rail
 fence with hedge - old
 and in poor condition

grass bank

railway sleeper retainer
 - 200mm high

tarmac parking space with
 contrasting colour stone
 chippings wearing course

parking for bus -
 signposted

low area

footpath surface
 improvement with
 crushed dolomite

provide steel handrail

new chicane barrier
 (as Priory Road barrier)

existing barrier
 removed

lockable gate

SIGN

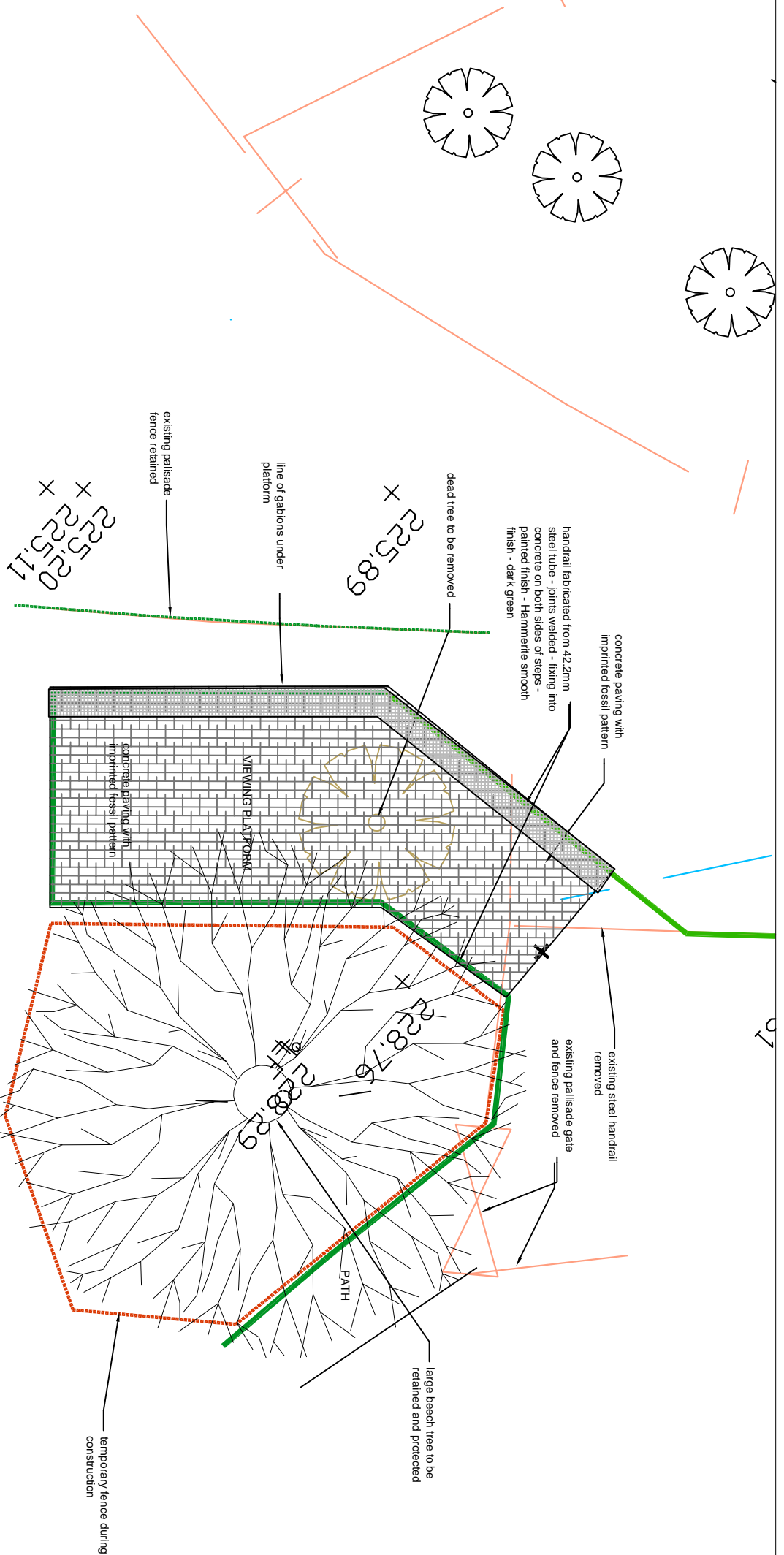
existing
 rail fence



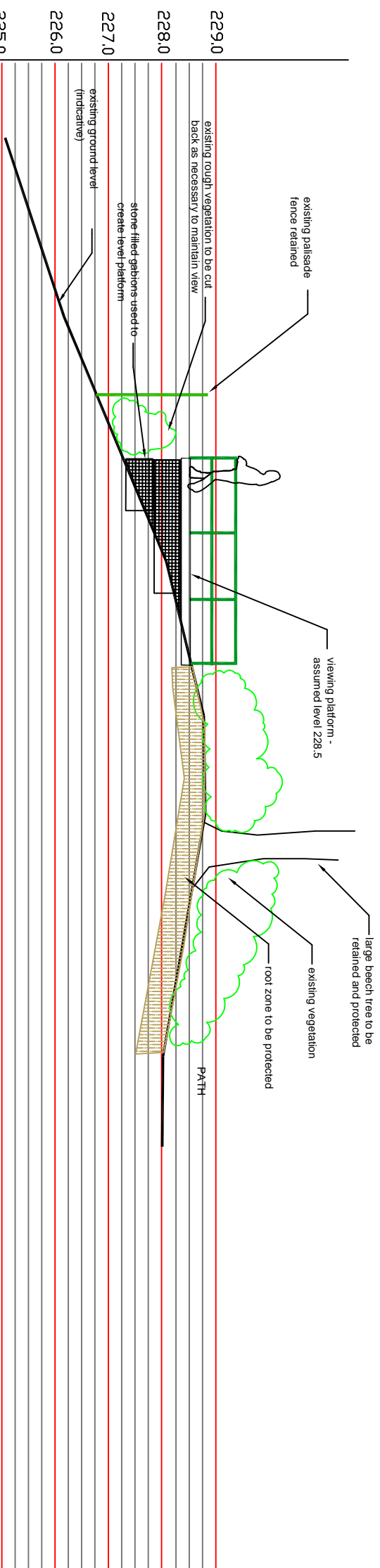
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Client	Dudley Metropolitan Borough Council	Drawn by	TN	Date	August 2009
Project title	Wren's Nest National Nature Reserve	Scale	1:200	Print size	A3
Drawing title	Proposed car park layout	Project no.	NJL 1683 / S01	Drawing no.	
		Revision			



Indicative plan of southern viewing platform



Indicative section/elevation of southern viewing platform



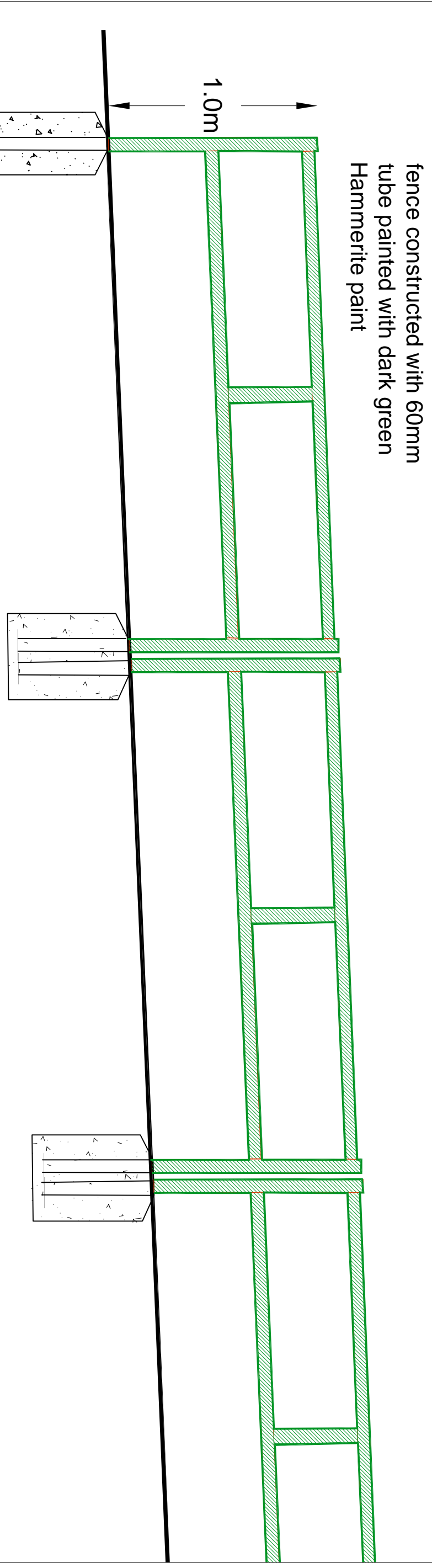
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client	Dudley Metropolitan Borough Council	drawn by	TN	date	Aug 2009
project title	Wren's Nest National Nature Reserve	scale	1:100	print size	A3
drawing title	Proposed viewing platform, Seven Sisters (south)	project no.	NJL 1683 / S14	drawing no.	
revision					

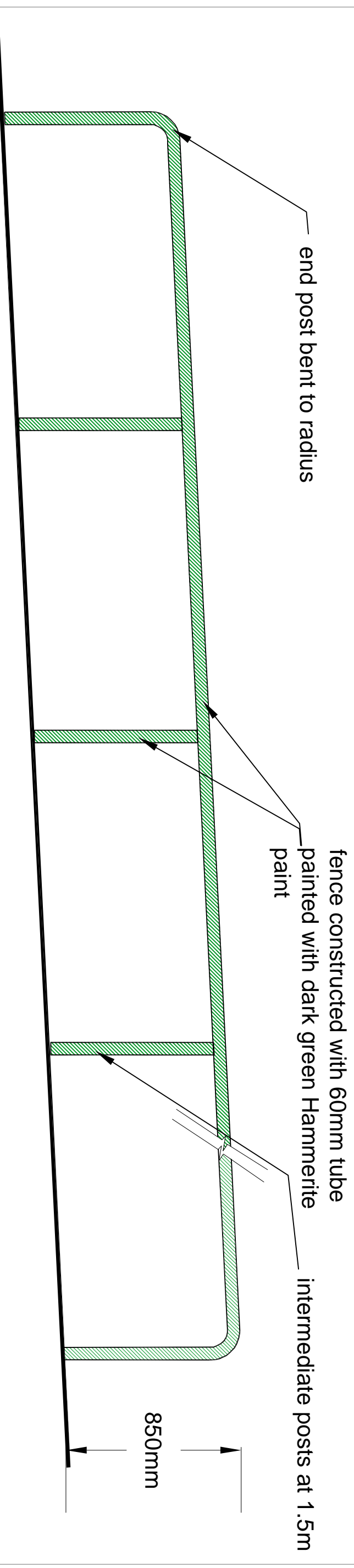
Proposed boundary fencing

Elevation of 1m high tubular steel fence (as used at Priors Road)



Proposed car park frontage fence

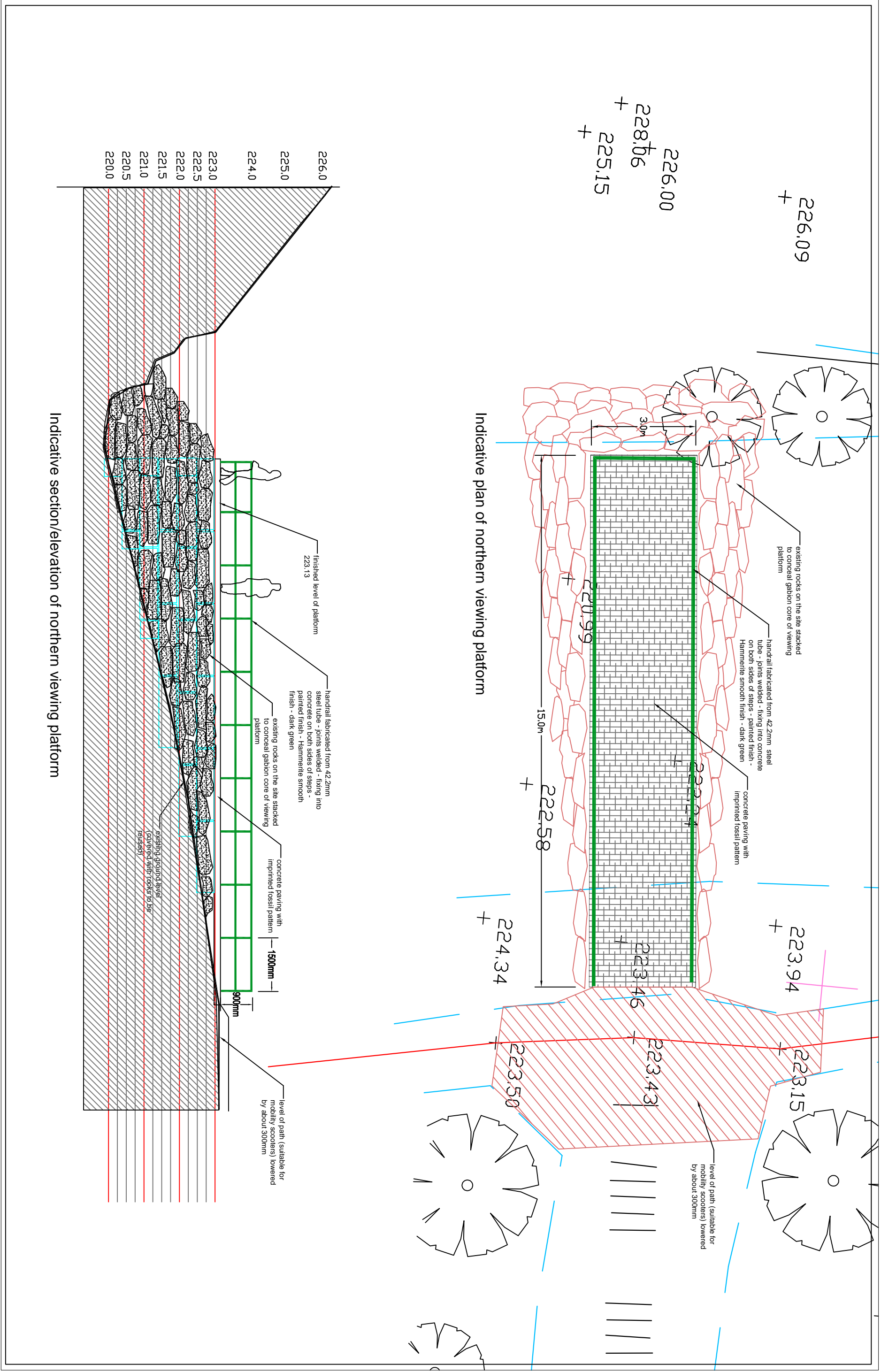
Elevation of 850mm high tubular steel triprail fence
Fence constructed to suit slope of ground



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client	Dudley Metropolitan Borough Council	drawn by	TN	date	Aug 2009
project title	Wren's Nest National Nature Reserve	scale	1:20	print size	A3
drawing title	Steel fence options	project no.	NJL 1683 / S04	drawing no.	
revision					

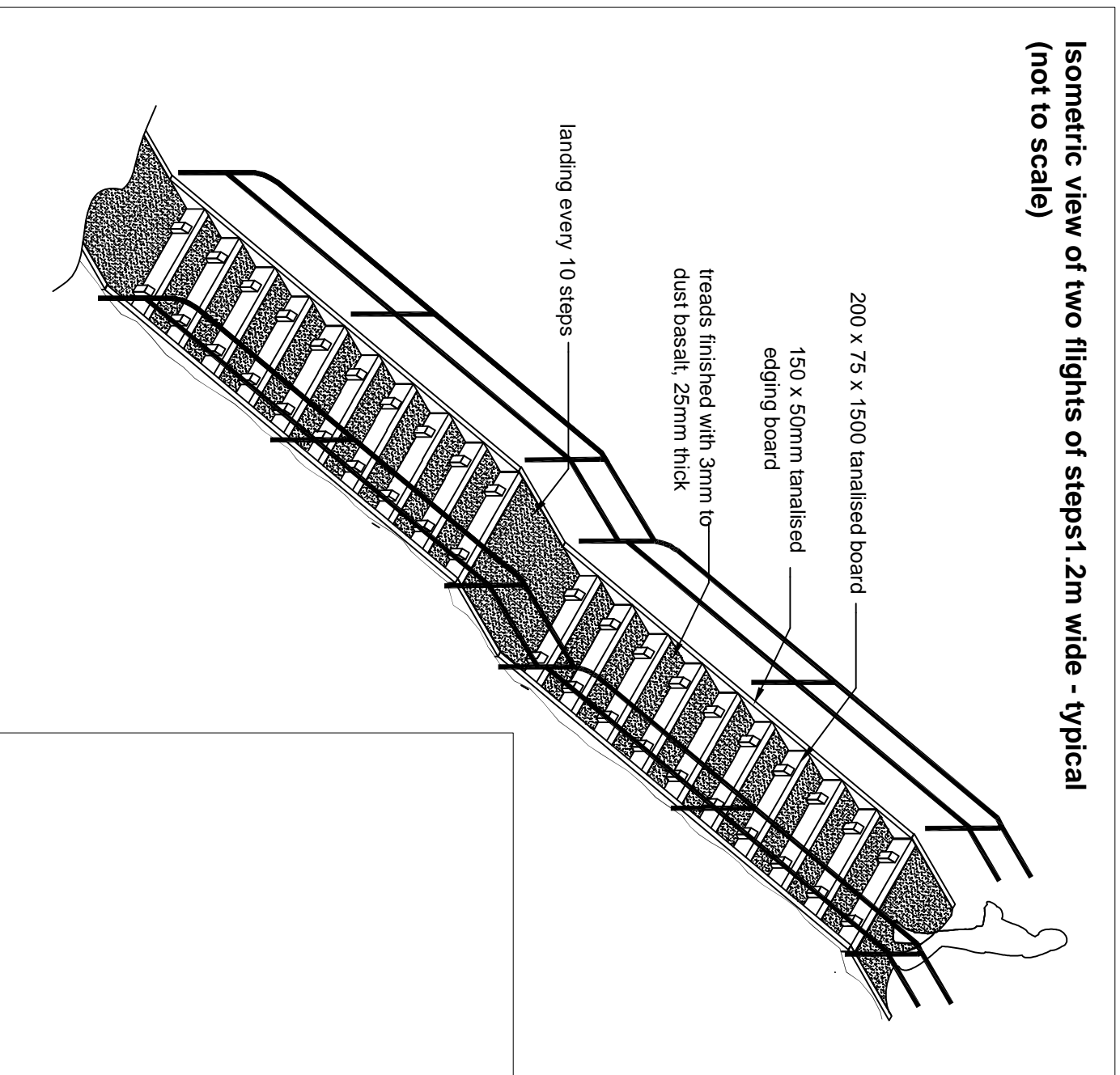


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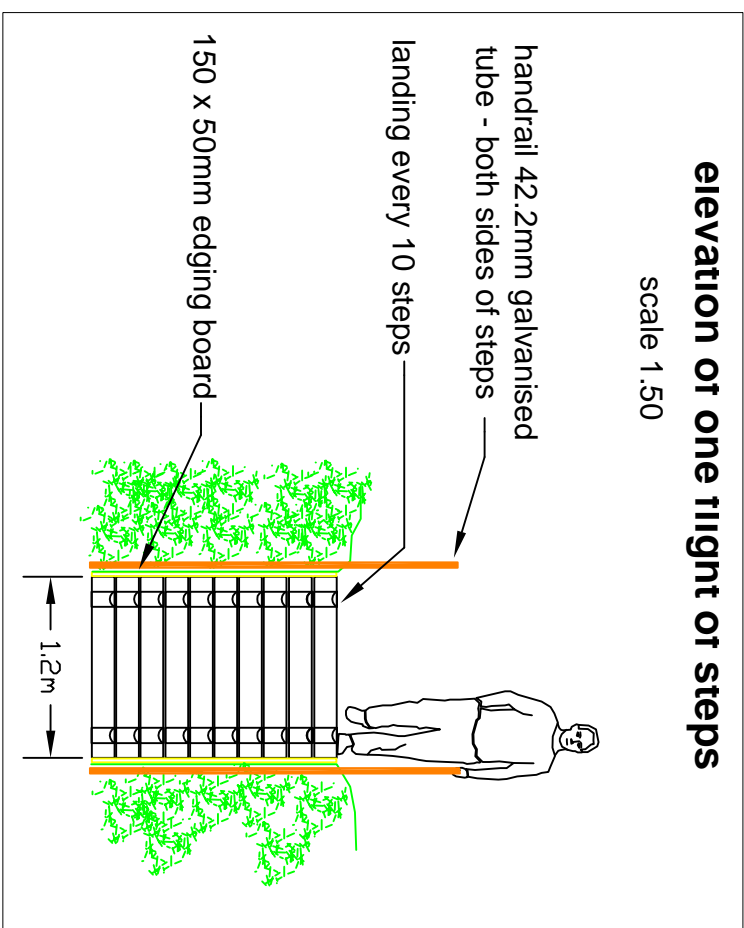
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project title	Wren's Nest National Nature Reserve	scale	1:100	print size	A3
drawing title	Proposed viewing platform, Seven Sisters (north)	project no.	NJL 1683 / S13	drawing no.	
revision					

Isometric view of two flights of steps 1.2m wide - typical
(not to scale)

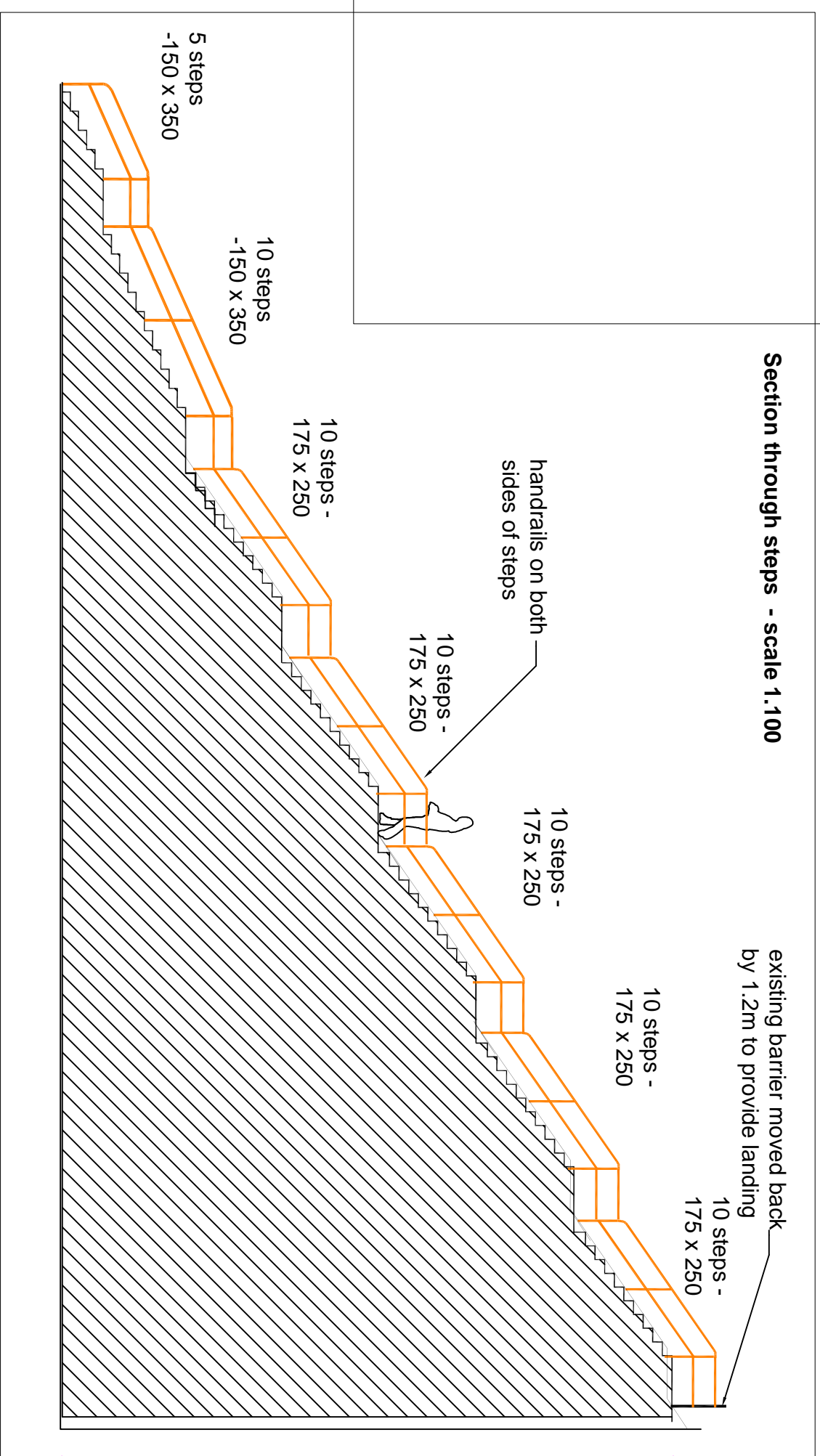


elevation of one flight of steps

scale 1.50



Section through steps - scale 1.100



Note - steps to follow line of existing - with changes of direction located at landings



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client	Dudley Metropolitan Borough Council	drawn by	TN	date	Aug 2009
project title	Wren's Nest National Nature Reserve	scale as shown		print size	A3
drawing title	Proposed Quarry steps reconstruction - details	project no.	NJL 1683 / S08	drawing no.	
revision					