

PLANNING APPLICATION NUMBER: P12/1598

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	Dudley MBC
Location:	LAND BETWEEN BLACK COUNTRY LIVING MUSEUM AND DUDLEY ZOOLOGICAL GARDENS, DUDLEY, WEST MIDLANDS
Proposal	CREATION OF NEW CAR PARK PROVIDING 600 PARKING SPACES AND COACH PARKING FACILITIES WITH ASSOCIATED SECONDARY ACCESS OFF THE MAIN ACCESS ROAD, PROVISION OF A SURFACED RECREATIONAL ROUTE LINKING EXISTING TOURIST ATTRACTIONS, ERECTION OF A VISITOR HUB, PROVISION OF A NEW VISITOR ENTRANCE TO DUDLEY ZOOLOGICAL GARDENS, ASSOCIATED INFRASTRUCTURE WORKS AND DIVERSION OF A PUBLIC RIGHT OF WAY
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site measures 7.1 hectares. The application site comprises the existing Dudley Zoological Gardens car parking area, a newly created means of access into the site from Tipton Road and the inclusion of a dismantled railway that runs along the eastern edge of the site and extends northwards from the north-western corner of the site.
2. The disused railway line is sited on a steep raised wooded embankment. There is also a raised embankment that runs along the centre of the site and which forms the eastern boundary of the existing car park area. This embankment is formed of rubble and mounded soil. The northern boundary slopes steeply down towards Peggy's Meadow, which is a Site of Local Importance for Nature Conservation. Within this steep slope is a small brick building (pump house) although this lies just outside of the application site.

3. Running alongside the western boundary of the site is a ditch that is culverted in part (Swan Brook). There is a definitive public right of way running along the western part of the site linking with an existing network of other footpaths and tracks providing access to the Castle Hill woodland, Peggy's Meadow and the Birmingham New Road.
4. The southern part of the site is formed by a hard stand providing overflow car parking for Dudley Zoological Gardens. The eastern part of the site is characterised by an area of grassland and scrub. The former railway line is formed by a dense tree lined avenue.
5. The site lies within a central location adjoining the existing tourist attractions of the Dudley Zoological Gardens located to the west, the Black Country Living Museum located to the north-east and the Dudley Canal Trust located to the north. The Dudley Archives building is also currently under-construction adjoining the north-eastern boundary of the site. Adjoining the southern boundary of the site is the former Gala Bingo and JB's nightclub, now a martial arts centre and conference venue. Castle Hill is located to the south and Tipton Road is located to the east.
6. The site is located to the north-east of Dudley town centre, approximately 100 metres from the primary retail area. In this regard, the site has ease of access to the bus station. The site adjoins the strategic highway network (A4123, A4037 and A459), with access to good bus services and accessibility by the private car.
7. Dudley Castle itself is a Scheduled Ancient Monument. Castle Hill is also designated as a Scheduled Ancient Monument with respect to its geological significance (limestone). Castle Hill is designated as a Conservation Area, the boundaries of which lie to the west and south of the application site. Dudley Zoological Gardens also comprises a number of historic buildings including 4 Grade II* and 8 Grade II listed buildings.

PROPOSAL

8. In October 2012, £4.5m of European funding was awarded to be put towards the redevelopment of the site to create shared visitor facilities. The project revolves around creating new access and infrastructure to create one shared arrival point for visitors to Dudley Zoo and Castle, the Black Country Living Museum and the Dudley Canal Trust. In addition to improving the connectivity of the existing facilities, it is hoped that the new infrastructure would provide a catalyst for new private sector investment and jobs as a result of new mixed use leisure planned for the northern part of the site.
9. The objectives of the project are to:
 - Reverse the long term economic decline;
 - Increase levels of employment;
 - Increase footfall in the town centre;
 - Increase the percentage of positive visitors perception, and
 - Provide a benchmark and allow Dudley to build upon its special qualities.
10. The applicant states that the ERDF funding would provide *“a lifeline to the town to regenerate a former Brownfield site where it is hoped it will have a positive impact upon attracting investment and visitors back into the town.”*
11. In developing the project, some of the key objectives were to:
 - Make use of Castle Hill site.
 - Stimulate tourism
 - Provide car parking facilities including exemplary disabled provision and electric charging points, together with a coach park separated from drop-off facilities and main car parking.
 - Retain the current access for deliveries to the Zoo.
 - To develop a safe environment for pedestrians and to integrate accessible routes within the design.
 - To provide a new visitor hub to be staffed at peak times through the Dudley Ambassador scheme and provide visitor information for the three attractions.

- To create a new entrance into the Zoo.
 - To divert the public right of way into a legible, accessible and pleasant alternative, running alongside a delineated cycle way.
 - To recognise and conserve the site's existing and potential biodiversity, including water courses, linking adjacent habitats within the wider green network.
12. The proposals seek the creation of a new car park providing 600 parking spaces and a coach park. The development would involve the creation of a secondary access road off a signalised junction off Tipton Road, the provision of a surfaced recreational route linking the existing tourist attractions, erection of a visitor hub; provision of a new visitor entrance to Dudley Zoological Gardens, associated infrastructure works and the diversion of a Public Right of Way.
13. The development would be accessed from a new signalised junction off Tipton Road. This access does not form part of this application and was approved by a previous planning application (P12/1005).
14. The 600 space car park would be split into zones to provide flexibility in terms of the operation of the car park to cater for peak times as well as informing the overall landscape strategy for the development. Car park 1, closest to the entrance to Dudley Zoological Gardens would be laid with tarmac; the coach car park would be laid with tarmac, the parking areas closest to the western boundary of the site would be surfaced with stone reinforcement, the parking areas to the east and north of the site would be laid with mown grass reinforcement. The car parking areas would contain clearly defined pedestrian routes to the tourist attractions.
15. The access into the car park would be from Tipton Road off a newly formed access road. This would then lead to the creation of a secondary route within the site. The secondary route would be used by visitors to access the proposed car parking areas and to allow coaches to drop off and collect day visitors close to the zoo entrance. A newly create 'piazza' forming the entrance to the Zoo would act as an arrival point for visitors.

16. Located to the west of the main access road would be the erection of a Visitor Hub building. This building would provide a visitor space for the erection of information display boards, audio visual displays and seating. The building would be an oval shape. It would be a single storey building being 10.4m in length, 5.8m wide and 3.5m in height. Access would be through the south-east elevation via a steel sliding door.
17. The visitor hub building would have a feature roof that would extend out 1m from the main bulk of the building. The main building would comprise a lower stone wall measuring 2.3m in height with a panel of glazing extending 0.8m high above extending around the entire circumference of the building. A visual mast would be sited centrally within the roof that would extend 10.4m in height supported by steel tension wires. The visitor hub would provide an internal floor area of 36m².
18. The development proposals would include the provision of a recreational route that would connect the three existing tourist attractions. The route would extend the whole length of the application site running in a north-south direction along the eastern boundary of the application site. It follows the route of the former railway embankment that runs along the eastern boundary of the site between Peggy's Meadow and the Black Country Living Museum.
19. The recreational route would be a black top surface four metres wide along the route from the zoo in the south of the site up to the proposed visitor hub. Beyond the visitor hub, as the route extends northwards towards the Dudley Canal Trust it would be reduced to three metres wide and would be surfaced in basalt. The recreational route would be a route for both pedestrians and cyclists. In the future, the route may be used by a proposed 'land train' that would link the existing visitor attractions.
20. The planning application has been supported with a suite of detailed plans and technical reports including:
 - Design and Access Statement
 - Archaeology Desk Based Assessment

- Noise Assessment
- Drainage Strategy
- National Vegetation Classification Survey
- Great Crested Newt Survey
- Reptile Survey Report
- Invertebrate Assessment
- Ecological Appraisal
- Bat Survey
- Badger Survey
- Breeding Bird Survey
- Transport Statement
- Site Investigations
- Coal Authority Report
- Tree Survey
- Flood Risk Assessment

21. The proposed development has been subject to detailed pre-application advice. A screening opinion under The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 was issued at this stage confirming that the proposed development did not constitute EIA development as defined by the Regulations and that an ES was not required. In issuing the Screening Opinion, regard was had to the Regulations and guidance provided in Circular 2/99 (Environmental Impact Assessment) as well as to the characteristics of the site, the scale and nature of the proposed development.

HISTORY

APPLICATION	PROPOSAL	DECISION	DATE
P04/0091	Outline application for the redevelopment for major visitor attractions.	Approved with conditions	21/02/07
P09/1575	Provision of new signalised access and pedestrian crossing	Approved with	02/02/10

	facility	conditions	
P10/0007	Temporary car park consisting of 221 spaces of which 14 are disabled together with approximately 140m of 6m wide access.	Approved with conditions	24/02/10
P12/1005	Provision of 85m length of highway including new roundabout providing link from Tipton Road into Castle Hill development.	Approved with conditions	11/10/2012

PUBLIC CONSULTATION

22. The application was advertised by way of neighbour notification letters being sent to the occupiers of seven properties within close proximity to the site, the placing of an advertisement within the local press and the display of four site notices. The latest date for comments was the 25th February 2013. Five letters have been received relating to the proposed development, two of the letters are from the same respondent, one letter is from an objector but no reasons are given for the concerns to the proposed development and two letters relate to concerns regarding the demolition of the former Hippodrome building. The demolition of the former Hippodrome building does not form part of this planning application. In essence, there is therefore one letter that objects to the proposed development on the following grounds:

- The landscaping proposals are outdated in their approach. The new entrance to the zoo raises concerns in its design approach not being innovative or of sufficient quality. Reference should be made other recently opened contemporary areas of open space, for example, Eastside City Park, Birmingham.
- The retained zoo entrance needs to continue to be given care and respect as the entrance to the zoo has shifted. Does the proposed development miss an

opportunity to link the proposed recreational route through/via the zoo and Dudley town centre?

- The proposed new entrance is a missed opportunity being just a series of steps, ramps and gates. “Is this really what a zoo, with 12 listed buildings within it, deserves or wants?”
- The new entrance should be formed with a new bespoke entrance building that can deal with the levels and security. “Consider that Dudley Zoo should not just attract visitors for its animals, but also for its Architecture. This is a great and rare opportunity; please do not overlook it.”
- The visitor hub is a good concept but architecturally it is poor and ill considered. The visitor hub is too small and proposes an introverted design. The building would be “dark, enclosed and unattractive inside.” The outer skin of the hub should predominantly be glazed, with double sided visual displays running down a central axis allowing people to see inside the hub without having to enter. The proposed mast has no integrity or function and it restricts views across the hub to different visual display boards. “Is this Hub, in its current form, really the first structure that Dudley MBC want visitors to see when they visit three of their main tourist attractions? In terms of form, for precedent purposes, please refer to the Costa Coffee structure in Brindley Place, Birmingham by Piers Gough CZWG. This is the type of structure that Dudley should be aspiring to.”

OTHER CONSULTATION

23. Group Engineer (Development): No objections subject to conditions relating to the provision of two-wheeler parking spaces within the proposed car park, provision of disabled parking spaces, provision of electric vehicle charging points, a car park management scheme, surface water drainage scheme, detailed design of the highways within the site, a traffic management scheme and the details of the surfacing of the proposed parking areas.
24. Head of Environmental Health and Trading Standards: No objections subject to conditions associated with ground conditions, a low mission strategy to deal with potential impacts upon air quality and noise.

25. Environment Agency: No objections subject to conditions with respect to ground conditions and improvements to and the de-culverting of Swann Brook.
26. English Heritage: No objections
27. Canal and River Trust: No objections
28. Natural England: No objections subject to the provision of mitigation and enhancements with respect to bats and great crested newts.
29. West Midlands Police: No objections to the principle of the proposed development. General advice provided with respect to the detailed landscape design; car park management; street furniture and surfacing. These aspects have been incorporated within the scheme and can be dealt with by means of attaching conditions.
30. The Coal Authority: No objection subject to conditions
31. Wolverhampton City: No objections

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

32. The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied. The NPPF is a material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.
33. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 9 of the NPPF states that:

“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

- *Making it easier for jobs to be created in cities, towns and villages;*
- *Moving from a net loss of bio-diversity to achieving net gains for nature;*
- *Replacing poor design with better design;*
- *Improving the conditions in which people live, work, travel and take leisure...”*

34. In terms of decision making, the NPPF states that the golden thread of decision making means:

- *“approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework, taken as a whole; or*
 - *Specific policies in this Framework indicate development should be restricted.”*

35. Paragraphs 117 and 118 of the NPPF sets out the importance of the consideration of the impacts of proposed development upon nature conservation stating that *“all development should promote the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species populations”* and that *“opportunities to incorporate biodiversity in and around developments should be encouraged”*

36. Policy steer within the NPPF is also relevant with respect to the historic environment. This is in terms of the designation of Dudley Castle as a Scheduled Ancient Monument and the Listed Structures at the zoo, and the buildings and structures at the Black Country Museum (BCM) and canal basin. Paragraphs 126 and 131 of the NPPF states that development proposals should *“take into accountthe wider social, cultural, economic and environmental benefits that conservation of the historic*

environment can bring.....” that “local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets....”

- Technical Guidance to the National Planning Policy Framework
- Circular 11/95 – The Use Conditions in Planning Conditions
- CIL Regulations

Black Country Core Strategy (2011)

- CSP1 – The Growth Network
- CSP3 – Environmental Infrastructure
- CSP4 – Place Making
- DEL1 – Infrastructure Provision
- CEN2 – Hierarchy of Centres
- CEN4 – Regeneration of Town Centres
- TRAN1 – Priorities for the Development of the Transport Network
- 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
- EMP5 – Improving Access to the Labour Market
- EMP6 – Cultural Facilities and the Visitor Economy
- ENV1 – Nature Conservation
- ENV2 – Historic Character and Local Distinctiveness
- ENV3 – Design Quality
- ENV4 – Canals
- ENV5 – Flood Risk, Sustainable Drainage Systems (SuDS) and Urban Heat Island
- ENV6 – Open Space, Sport and Recreation
- ENV8 – Air Quality
- WM5 – Resource Management and New Development
- MIN1 – A Strategy for Future Management of Mineral Resources

Dudley Community Strategy 2005-2020

- Creating a prosperous Borough – ensuring the development of Dudley as a sub-regional focus for leisure and tourism development and actively building upon existing leisure attractions in the centre.
- Heritage and Culture – redevelopment of Dudley Castle and Zoo to help preserve the historic nature of the site.

Council Plan 2012-2013

- RE2 Regeneration, Skills and Employment – increase the contribution of creative industries and the visitor economy for the economic regeneration of the Borough.

Unitary Development Plan (2005)

- DD1 – Urban Design
- DD9 – Public Art
- DD10 – Nature Conservation and Development
- UR3 – Tipton Road Development Area
- UR8 – Derelict Land
- UR9 – Contaminated Land
- UR10 – Unstable Land
- AM13 – Public Rights of Way
- NC1 – Biodiversity
- NC6 – Wildlife Species
- NC7 – Geological Resource
- NC9 - Mature Trees
- NC10 – The Urban Forest
- HE3 – Castle Hill Special Landscape Heritage Area
- HE6 – Listed Buildings
- HE7 – Canals
- HE8 – Archaeology and Information
- HE10 – Sites of Regional Importance (Ancient Monuments)
- HE11 – Archaeology and Preservation

- SO2 – Linear Open Space
- SO3 – Access and Enhancement of Green Belt and Linear Open Space
- EP3 – Water Protection
- EP6 – Light Protection
- EP7 – Noise Pollution
- DTC1 – Dudley Town Centre - Thoroughfares and Public Spaces
- DTC2 – Dudley Town Centre Inset Plan (Development Block) (6)

Supplementary Planning Guidance/Documents

- Dudley Town Centre Area Development Framework (ADF) (December 2005)
- Planning Obligations Supplementary Planning Document (SPD) (September 2011)
- Parking Standards SPD (June 2012)
- Nature Conservation SPD (September 2006)

ASSESSMENT

37. The main issues are

- Principle
- Design, Layout, Landscape and Public Realm
- Impact Upon the Historic Environment
- Nature Conservation
- Parking and Access
- Drainage and Flooding
- Archaeology
- Trees
- Planning Obligations

Principle

38. The proposals would form the first phase of a wider project to develop the site in a way that would assist in the development of the visitor economy of the Borough and in particular an expansion in visitor numbers at the Zoological Gardens, The Black Country Living Museum and The Dudley Canal Trust as well as facilitating the

development and regeneration of Dudley town centre as a centre for entertainment, leisure and recreation.

39. The proposed development would provide new infrastructure to help support and develop the existing tourist facilities within the area. Improvements to overall car parking provision, access and the provision of a physical link (recreational route) between the existing attractions (Zoo, Black Country Living Museum) would serve as a basis of enhancing the existing visitor experience and providing a platform for long term improvements in overall visitor numbers and the future expansion of the existing attractions. In this regard, the proposed development would be in accordance with saved Policies HE3, UR3 and DTC2 of the Dudley Unitary Development Plan.
40. The proposals would also be consistent with the strategic aims and objectives of the Black Country Core Strategy (BCCS) which seeks to develop the role of Dudley Town Centre as a tourist destination within Regeneration Corridor (RC) 11a and highlight its historic character and assets. Policy CEN4 of the BCCS states that *“it will be important to recognise the special role of Dudley Town Centre....it will also be suitable for the town centres to provide entertainment, leisure and cultural facilities....”* and, within RC11a, Dudley TC is recognised as being enhanced as *“a tourism focus of regional and national repute (based on Black Country Museum, Dudley Zoo, Dudley Castle, Dudley’s geological and heritage assets).....”*
41. Policy EMP6 of the BCCS is also relevant and aligns with the proposed enhancement/expansion of the tourism facilities at this location. That policy states that *“visitor attractions will be developed and enhanced at key destinations to ensure that accessibility is maximised and to continue to raise the quality of the visitor experience throughout the Black Country”.....including “Dudley Town Centre (especially the Zoo and Castle, The Black Country Living Museum”*
42. In addition to the above, the proposed development would support the golden threads of both the Dudley Community Strategy 2005-2020 and the Council Plan 2012-2013 in developing and facilitating the sub-regional focus of Dudley as a centre for leisure and tourism development to help create a prosperous Borough.

43. Given the size of the site (greater than 5 Hectares), the nature of the proposed works (excavation works) and that the site falls within a Mineral Safeguard Area (MSA), the provisions of CS Policy MIN1 would apply. Applying that policy, it is considered that, in this instance, details of a prior extraction scheme are not required, as:-
- Mineral extraction is likely to exacerbate ground stability - *as a result of the mine entries and shafts in or near the site, as evidenced in the Coal Authority Report;*
 - It is likely to result in abnormal costs or delays which would jeopardise the viability of the development - *the fact that the proposal is tied in with European funding and its inherent deadlines is evidence of this;*
 - There is an overriding need for the development – *in this instance, there is a clear and relatively urgent need to upgrade these tourism facilities to prevent their decline and the potential for the further decline to the viability and vitality of the town centre;*
 - There is likely to be a potential adverse impact on the existing tourism facilities - *potentially not only in terms of their structural soundness and the noise and dust arising from mineral extraction, but also upon the image of these facilities.*
44. It should also be recognised that the nature of the development (with no significant coverage of built structures) would not necessarily stymie mineral extraction at some time in the future, should it be deemed expedient to undertake such development. In this regard, the proposed development would be in accordance with MIN1 of the BCCS.

Design, Layout, Landscape and Public Realm

45. The site is located adjacent to other major key assets which include the Scheduled Ancient Monument of Dudley Castle Hill and its Landscape Heritage Area, Castle Gate Business Park, the proposed Metro route, and other key brownfield land development sites such as Dudley Guest Hospital. The Dudley Archives Centre is under construction and will sit close the entrance to the site, adjacent to The Black Country Living Museum.

46. The layout accommodates surface level parking within a landscape setting that in turn retains planting and landform where it can and introduces new planting, surfaces, signage and built form to circulate people and vehicles through the site in a direct and convenient a route possible. The layout includes a variety of transport modes and sits on a largely level platform at the foot of the Castle Hill Landscape Heritage Area which retains a visual dominance over the parking areas.
47. The relative narrowness of the site emphasizes the long connecting routes that thread through the site to join the Canal Trust/Museum/Archives complexes and the new entrance to the Zoological Gardens. The layout manages to be pragmatic in fulfilling the various access and parking requirements that the site must deliver, achieve the linkages to the set-piece attractions and provide new and attractive leisure routes within a landscape setting.
48. The parking and access arrangements are at surface level, sat at the foot of the Castle Hill Woodland and interspersed with bunding and planting including the new and retained trees.
49. Various points within the development will have a localised landmark function including the oval shaped Visitor Hub that will act as a marker building for people accessing the site from Tipton Road and centre points of the southern turning areas which will be part of a more coherent pedestrian approach to the new entrance to the Zoological Gardens.
50. The design introduces low level, shrub and tree planting, high quality surfacing, new routes, public art, flagpoles, banners, seating, interpretation panels, a new visitor hub, provision for a land train to both interest and accessibility, new entrance points to adjacent attractions and opens key views to Castle Hill, the Castle ruins, Listed zoological buildings and sits beneath the castle Hill and its woodland. The design adds an exciting entrance environment to the Zoological gardens and assists the functional uses of parking, circulation, access and delivery to take place within a wider landscape setting.

51. The pedestrian is offered a variety of routes through the landscape, to connect to key points, including a recreational route that will accommodate a Land Train. The elements that provide the detail are considered well chosen and the use of bunding, sweeps of retained planting, the creation of boulevards providing linkages through the site and focal features where necessary and possible also has a key role in providing visual interest to assist the changes in surfacing and planting.
52. The proposed visitor hub would provide a visual end stop at the end of the main access into the site thereby potentially providing an overall focal point for the proposed development. There are some concerns regarding the purpose of the proposed visitor hub and its overall function within the development. It is located a significant distance away from the entrances to the visitor attractions and it is regrettable in design terms that the visitor hub would not have a larger purpose or function in terms of providing additional visitor facilities at the site. Its success may be limited as a means of merely displaying visitor information especially since it would largely be an unmanned facility. The design is similarly a little under stated; whilst the visual mast would add interest and provide a focal point within the site the elevations of the building would be blank and inactive with limited glazing and legibility. Despite these concerns, the visitor hub must be delivered as part of the overall development in accordance with funding constraints. On balance, it would add and create activity within the northern part of the site providing a means of helping create links between the existing visitor attractions and is not considered sufficiently poor to warrant the refusal of planning permission having regard to the overall and wider regeneration benefits of the development.
53. The proposed development would include the provision of interpretation boards and public art. The submitted Masterplan identifies the locations for these features and indicative illustrative information has been provided to denote what the public art could look like. The siting of public art features would serve to aide the legibility of the overall development as well as enhancing the visual appearance and interest of the proposed car park overall. The locations of the proposed public art would be appropriate and precise details of the public art features can be submitted for approval at a later stage as part of a condition.

54. The scheme would include the addition of new boundary walls to the eastern boundary of the zoo. The boundary walls would be a mix of stone and timber. This would ensure the visual enhancement of the site and the delivery of more appropriate means of enclosure that would be more sympathetic with the setting of the site than the existing boundary treatment.
55. The development would include the addition of street furniture in the form of seating, bollards and height restriction barriers to the site in order to restrict access where necessary and to improve the overall visitor experience by including areas for seating. It would be important that there is a consistent design approach to street furniture and that it complements the overall landscape strategy. Conditions would be attached to ensure that details are approved of the detailed design in due course.
56. Flagpoles approximately 8m in height and banners to be mounted along the access road are also proposed. The principle of some advertisements would be appropriate but it would be important in considering the detailed design of these to ensure that they would not detract from the visual amenity of the area or result in highway safety concerns. The flagpoles and banners would require separate advertisement consent.
57. The proposed development would result in a change in levels across parts of the site in order to improve accessibility. The northern part of the site slopes steeply and falls down towards Peggy's Meadow and the Dudley Canal Trust and Black Country Living Museum sit at a significantly lower level than the proposed recreational route. In order to facilitate the diversion of the public right of way within the northern part of the site the land would be increased in height from the existing lower part of the slope to allow the provision of an improved public right of way with a more accessible and appropriate incline on it than would be achieved if using existing levels. The re-graded land would still be at a lower level than adjoining land to the south.
58. Gabions would also be erected alongside the proposed car park as a retaining structure. These would be a feature alongside the eastern boundary of car park 3, the proposed coach and car park 2 and entrance to the Dudley Canal Trust from the

proposed recreational route. The gabions would not be significant structures measuring no more than 1.5m in height. Full details of the gabions would be secured by condition.

59. Extending north-south through the site is a bund. This bund would be retained thereby creating upper and lower level car parking areas throughout the site. The lower level car parks are at approximately 166m with the higher level car parks being between 169 and 170m. Most of the proposed development would work with the existing levels.
60. Changes in levels are proposed along the proposed access to the visitor hub. This would predominantly involve the lowering of levels through removing part of the existing bund in order to create a level access to the visitor hub. The re-grading of land would also be carried out in order to create the new entrance into the zoo, Dudley Canal Trust and Black Country Living Museum to provide accessible accesses to the existing attractions from the proposed recreational route and internal circulation spaces. The new entrances would involve the erection of limestone clad retaining walls, stone walls, disability ramps, steps, handrails and landings. Details of the visual appearance of these structures could be secured by condition.
61. In short, the proposed design and layout of the development would meet a functional need (parking and access) accommodated within a planned landscape setting that resolves long-standing regeneration needs and that provides a complementary entrance and approach to major tourist attractions within the Black Country from the Tipton Road. The overall landscaping strategy and detailed landscaping scheme along with engineering works to facilitate access to and linkages between the existing attractions would serve to assimilate the development into its surroundings and enable the delivery of a cohesive and comprehensive design. Whilst there are some concerns with the overall development (visitor hub), the proposed development would, on balance, be in accordance with Policies CSP4 and ENV3 of the BCCS and saved Policy DD1 of the Dudley Unitary Development Plan.

Impact upon the Historic Environment

62. The low lying topography of the development site and the intrinsic nature of the proposed development are such that it is not considered that the implementation of the scheme will cause any detrimental impact upon the setting of adjacent Heritage assets including Dudley Castle.

63. One Heritage Asset, the historic limestone boundary wall to the Castle grounds, is negatively impacted through being breached in order to create a direct access from the new car parking into the grounds of the Zoo. It is accepted that this is an inevitable consequence of having to accommodate visitor flows from the new facilities into the “arrivals and orientation area” behind the Tecton Entrance and adjacent to the Tecton Safari Café. Mitigation for the loss of historic fabric would be the full archaeological recording of the wall prior to demolition and after careful dismantling the retention of the building stone from it for future use on the Castle Hill site. Details as to how the ragged edges of the new gap created by formation of the access will be treated are also required. All of this could all be achieved via conditions.

Nature Conservation

64. The site is not covered by any statutory designated nature conservation sites. The northern part of the site includes part of Peggy’s Meadow, which is a non-statutory designated Site of Local Importance for Nature Conservation (SLINC). This site is of nature conservation value due to its unimproved neutral grassland. Located immediately to the west of the site is Castle Hill itself, which is designated as a non-statutory Site of Importance for Nature Conservation (SINC) but this is largely due to the geological significance of the hill. The site lies within a Wildlife Corridor and a Bat Migration Corridor as identified by the Birmingham and Black Country Nature Conservation Strategy. The SLINC has local importance in terms of its nature conservation value and the SINC is of regional importance.

65. In considering the appropriateness of the proposed development it is important to consider the potential impacts upon the nature conservation value of the site in terms of impacts upon significant habitat and species that nest or forage within the site. Whilst the site is not covered by statutory designations, the local and regional importance of the site and the potential impacts of the proposed development upon the existing habitats and species must be considered. It would be important that in accordance with saved Policies DD10, NC1 and NC6 of the Dudley Unitary Development Plan that the proposed development retains habitat of value and does not have an adverse impact upon notable species. Where the removal of habitat is unavoidable then suitable mitigation and enhancement should be included within the proposed development.
66. The site is of some nature conservation value in terms of it's the habitat and species it supports. The southern part of the site predominantly comprises hard-standing and bare ground, which is currently used for parking associated with Dudley Zoological Gardens. The remainder of the site is characterised by semi-improved grassland and scrub. The scrub is largely dominated by silver birch, willow and bramble with some ash, sycamore, hawthorn, rowan, elm and dogwood.
67. There is a linear area of woodland within the site that follows the line of the dismantled railway and that runs in a band south-east to north-west through the site. The wooded area is characterised by ash and sycamore with low level plants comprising hawthorn, willow, elder and bramble.
68. There is a ditch that runs along part of the eastern boundary of the site. This is Swan Brook is comprises slow flowing shallow water. The ditch has limited value in terms of its habitat being shaded by adjoining dense tree cover.
69. The habitat within the site and records with respect to species identify that the site has the potential to be used by bats, amphibians, reptiles, badgers, breeding birds, invertebrates and flora of notable value. The applicant has submitted a number of technical reports to identify the presence of both important flora and fauna within the

site, as assessed the impact of the proposed development upon these species and then included recommendations for mitigation.

70. The buildings within the site provide limited opportunities for roosting bats and trees within the site are largely immature and semi-mature providing limited opportunity for roosting habitat. The scrub and woodland within the site provides potential foraging and commuting habitat for bats. The linear tree-lined disused railway is of particular importance providing links to feeding areas and roosting sites.
71. There are records of Great Crested Newts within Dudley Zoological Gardens due to an active breeding programme undertaken within the zoo grounds. The site itself does not have any suitable aquatic habitat present but it does include suitable terrestrial habitat for the species.
72. The site includes large areas of habitat that could be suitable for badgers and they are known to be active within the vicinity.
73. The site also has the potential for the presence of orchid species, which are identified as a priority species within the Birmingham and Black Country Biodiversity Action Plan (BBCBAP).
74. No reptiles of any species were recorded on site and therefore no mitigation is proposed. The site has some national importance for invertebrates, including the hoverfly, wasps and bees. Mitigation for the loss of habitats associated with invertebrates would be through the retention or creation of new habitat within the overall landscape scheme. In terms of birds, the breeding bird survey identified fifteen species within the site. All of these species are widespread in their distribution. Eleven of the species are not of conservation concern, with four being of conservation concern (bullfinch, song thrush, dunnock and common whitethroat). In order to ensure protection of the bird population, in implementing the proposed development care should be taken to avoid hedgerow removal or the clearance of vegetation during the bird nesting season (Feb-Aug). The proposed development

would potentially involve work during this period and therefore a suitably qualified ecologist must be engaged to check for nests prior to work commencing.

75. Bats and their places of refuge are protected in the UK under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended). Great Crested Newts are also fully protected by in the UK under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended). Badgers are protected under the Badger Protection Act 1992.

Bats

76. The proposed car park would involve the loss of foraging habitat for bats. The northern end of the car park would encroach on scrub and grassland habitat suitable for bats. The proposed overflow car park within the northern part of the site would result in the modification of the existing grassland and remove scrub from the area resulting in a degradation of the foraging habitat for bats within this part of the site. The applicant's ecologist considers these impacts to be minor in nature.
77. The proposed recreational route would result in a loss of vegetation along the wildlife and bat corridor since the route proposed would be 5 metres wide to accommodate pedestrians and a land train. The proposals would open up the existing woodland habitat. The linear woodland is currently enclosed, dense and provides continuous cover and a dark habitat bats to fly through. The loss of integrity of the linear woodland through it being widened would result in a permanent adverse impact and lighting could have a potential adverse impact upon the bat population.
78. In summary, the proposed development would have an adverse impact upon habitats that are of importance to bats. The impacts of the proposed development upon boundary features are importance at the regional and local level due to the designation of Castle Hill as a SINC and the site forming part of a wildlife corridor. The development would result in the loss of tree and scrub habitat that provides an

important habitat for the foraging of bats as well as providing a buffer between the application site and the SINC.

79. However, the proposed development does put forward an overall landscape scheme that would mitigate against the potential impacts upon bats, which are a protected species. The landscape design of the overall project seeks to provide additional habitats in the form of trees and species appropriate planting to provide scope to continue to connect habitats within the northern part of the site and the bat migration routes to the east. Mitigation and enhancement features for the species included within the overall landscape strategy and planting scheme the provision of:

- Continuous linear features of scrub and trees.
- Incorporation of hedgerows into the landscape design to provide shelter and canopy level cover.
- The provision of dual hedgerows and avenues of trees to provide dark corridors through the middle of the build up area.
- Transitional habitats from grassland to mature trees to support a higher insect population thereby improving the feeding areas of bats within the overall landscape design.
- Provision of canopy cover from street trees to provide routes for bats over roads.
- Provision of bat boxes to mature trees.
- Limited lighting proposed within the overall development in order to reduce impacts upon the movement of bats. Lighting would only be provided within the southern formal car parking area and along the vehicular route providing access to the proposed visitor hub.

80. The proposed landscape design and lighting strategy for the redevelopment of the site would minimise the indirect impacts of the development on the Castle Hill SINC and would maintain a permeable landscape habitat for bats. The incorporation of the mitigation strategy for bats within the overall development would ensure an overall reduction in residual impacts. The proposed development would therefore not have a significant adverse effect on the local bat population or the continued viability of the

Castle Hill SINC. In this regard, the proposed development would be in accordance with Policies DD10, NC1 and NC6 of the Dudley Unitary Development Plan.

Badgers

81. The habitat inherent within Peggy's Meadow and woodland located to the north west of the site provide suitable foraging, commuting and sett construction habitat for badgers. In this regard, the site is of value to badgers. The proposed development would result in an increase in human activity within the site and the loss or disturbance of existing habitats that are suitable for badgers.
82. There is an existing sett that could be affected by the proposed recreational route. The proposed development would also result in the loss and disturbance of habitat that would be suitable for badgers. The main impact would be from works proposed to the broadleaved woodland in the northern part of the site resulting in the potential loss of foraging habitat for the badgers. The proposed development would also result an increase in noise and activity at the site through people and cars, which could further disturb the existing established badger population in the area.
83. In order to ensure that proposed development does not have a permanent adverse impact upon badgers, the landscape design associated with the development would result in long-term enhancements to the badger habitat through additional planting and through the following mitigation measures in terms of ensuring the protection of the existing sett:
 - Ecological supervision and monitoring, before, during and after construction;
 - Temporary exclusion fencing around the setting during construction of the recreational route to prevent impacts;
 - Tree and scrub species planting along linear features and within the proposed car parking area.
 - Landscape planting along the western site boundary of the site to maintain and enhance connectivity to setts and foraging areas beyond the site.
 - Restricted lighting adjoining badger sett and badger commuting routes.

- During construction works, areas should be fenced to prevent badgers from injuring themselves and any holes or trenches should be fenced or left with an escape route in the event of a badger falling in them.
 - If works do not commence within a year for the completion of an additional badger survey to reconsider impacts.
84. The proposed landscape design and lighting strategy for the redevelopment of the site would minimise direct impacts upon the local badger population. Conditions can be attached to ensure the protection of the existing sett during construction. In this regard, the proposed development would be in accordance with saved Policies DD10, NC1 and NC6 of the Dudley Unitary Development Plan.

Orchids and grassland

85. Following the Convention on Biological Diversity (1992), the UK Biodiversity Action Plan was published in 1994. This was updated in 2007 and 2012 and is now known as the UK Biodiversity Framework. This document provides a national strategy for the conservation of biodiversity through Species Action Plans and Habitat Action Plans. At the local level, this has resulted in the publication of the Birmingham and Black Country Local Biodiversity Action Plan (BBCLBAP). The BBCLBAP provides details of those priority habitats that should be conserved along with favourable management regimes.
86. The south-western part of the site comprises an area of grassland with habitat included with the BBCLBAP Habitat Action Plan (HAP). The HAP seeks to protect and increase the grassland resource within the region and bring all grassland of nature conservation interests into favourable management.
87. The grassland contains a number of orchids within the grassland. The BBCLBAP Species Action Plan (SAP) seeks the maintenance of existing populations and the protection and management of existing habitats and habitat creation.

88. The proposed development would involve in an area of grassland where common spotted and southern marsh orchids are present with the potential loss and impacts to these species as a result of the proposals.
89. It is recommended that:
- Where possible, the built development should avoid areas where orchids have been identified.
 - Any orchids with potential to be impacted are to be trans-located to a suitable receptor area.
 - Preparation of a mitigation strategy to ensure that the orchids are trans-located in an appropriate manner to a suitable receptor site. The mitigation strategy should include the management measures needed to be implemented in the long-term to ensure that the current population of orchids and any trans-located population are managed appropriately.
 - Use of protective fencing during construction to delineate areas of retained grassland habitat.
90. The existing grassland areas within the application site and within Peggy's Meadow SLINC are not currently managed. In the long term, this would reduce the nature conservation value of these sites due to the encroachment by scrub. In order to mitigate against the loss of grassland as a result of the proposed development as well as ensuring an overall enhancement of the nature conversation value of the existing grassland and orchid colony the applicant recommends the production of a management plan for these areas to ensure the protection of the long-term nature conservation value of these areas. This mitigation and management regime would ensure that the proposed development would be in accordance with saved Policies DD10, NC1 and NC6 of the Dudley Unitary Development Plan.

Great Crested Newts

91. There are records of Great Crested Newts within Dudley Zoological Gardens due to an active breeding programme undertaken within the zoo grounds. The site itself

does not have any suitable aquatic habitat present but it does include suitable terrestrial habitat for the species.

92. There are barriers to movement between the breeding ponds and the site (walls, hard-standing). On this, it is highly unlikely that great crested newts would be impacted by the proposed development or associated works. The consultant's report makes the following recommendations:
- Clearance of grassland and scrub subject to an ecological watching brief for amphibians;
 - Clearance of trees and scrub to be completed prior to the hibernation period for great crested newts (Oct-Feb inclusive);
 - Destructive searches for habitat features to be undertaken by an ecologist;
 - If a great crested newt is seen present during any phase of the proposed development an ecologist should be consulted and the recommendations of the submitted report reviewed.
 - Habitat enhancements for the species.
93. The above recommendations could be secured by condition and would result in the enhancement of the existing habitat for great crested newts thereby protecting this species and biodiversity within the site ensuring compliance with saved Policies DD10, NC1 and NC6 of the Dudley Unitary Development Plan.

Parking and Access

94. A Transport Statement has been submitted in support of the proposed development. The site is bounded by Tipton Road (A4037) to the east and Castle Hill (A459) to the south. These roads form part of the strategic highway network and are for long distance and strategic traffic. Street parking and direct frontage access should be kept to a minimum off these highways to ensure the effective flow of traffic. The Council would give a high priority to improvements and traffic management measures to assist traffic flows in relation to the potential impact of proposed development upon the strategic highway network.

95. Currently Dudley Zoological Gardens (DZG) has 300 off-street parking spaces, the Black Country Living Museum (BCLM) has 292 off-street parking spaces served from Tipton Road and an additional 200 overflow car parking spaces within the development site and Dudley Canal Trust (DCT) has 100 off-street parking spaces served from Birmingham New Road. There are a total of **892 car parking spaces** available for the three leisure facilities to use, plus additional spaces within the Dudley Guest Hospital site.
96. The proposed development proposes to rationalise the car parking provision for the existing leisure uses, providing 600 off-street spaces for DZG (which includes the BCLM overflow provision), 292 off-street parking spaces retained for the BCLM and 100 off-street parking spaces retained for DCT. The three leisure facilities as a result of the proposed development would then have a combined off-street parking total of **992 parking spaces**.
97. In terms of the proposed car parking layout, in accordance with the refreshed Parking Standards SPD, the proposed development would need to incorporate a minimum of, 24 powered two-wheeler parking spaces, 36 marked disabled parking spaces, 24 widened parking spaces and 30 electric vehicle charging points. These can be secured by condition.
98. As part of the Transport Statement traffic and car parking surveys were carried out on an average weekday in the summer holidays and on a Bank Holiday.
99. The survey data illustrates that both the BCLM & DZG car parks operate above capacity during the busiest periods on the Bank Holiday. As the overflow car park wasn't available during the survey periods, the applicant counted the number of pedestrian crossing movements on Tipton Road between the BCLM and the Dudley Guest Hospital car park.
100. 515 pedestrians crossed Tipton Road to visit the BCLM from the Dudley Guest site during the development peak hour (13:00 to 14:00). A car occupancy rate of 2.9 persons per car was observed during the surveys. Applying this car occupancy rate

to the pedestrians crossing Tipton Road would indicate that: $515 \text{ pedestrians} / 2.9 = 177.59$ or 178 cars were parked on the Dudley Guest Site.

101. The proposed development would not introduce any new vehicle trips onto the highway network surrounding the application site, but would redistribute the existing vehicle trips, as the existing access to the DZG car park from Castle Hill would be closed. The closure of the access from Castle Hill would increase traffic flows through the traffic signal junction on Tipton Road by 72 two-way trips (Weekday Peak 16:30 to 17:30) and by 119 two-way trips (Bank Holiday Peak 16:30 to 17:30). These additional movements are insignificant when compared to existing traffic levels on Tipton Road and would not detrimentally affect the operational capacity of the junctions Tipton Road/Birmingham New Road, Tipton Road/Site access Road and Tipton Road/Castle Hill.
102. There is an existing public right of way (PRoW) that runs through the site and its route would be diverted and improved to cycleway standards to facilitate the development. The proposed diversion would be satisfactory to the Highway Authority. This process would require the extinguishment, diversion and improving of the PRoW under Section 247 of the Town & Country Planning Act 1990.
103. In summary, the proposal would provide adequate car parking to cater for its need during the peak periods on a Bank Holiday and as the development would redistribute existing trips around the highway network rather than creating new trips the proposed development would not have a detrimental effect on the capacity and safe operation of the highway network. The proposed development would therefore be in accordance with Policies TRAN2 and TRAN4 of the BCCS and saved Policy AM13 of the Dudley Unitary Development Plan.

Drainage and Flooding

104. In relation to the potential provision of SuDS within the scheme, para 5.1 of the submitted Drainage Report states that *“the potential for SuDS within the car park layout are limited as a result of the previous use of the sitehowever, permeable*

surfaces may be formed within built storage from:-the construction of an open channel between the access road and Tipton Brook may offer the opportunity to provide some qualitative treatment”.

105. The applicant has further explored the use of SuDs within the overall development and the scope to use such techniques is limited due to the required surfacing of the proposed car parks. However, the applicant has agreed, in principle to explore the partial de-culverting of Swann Brook and to explore further works to the Brook to improve its overall function in terms of improving water quality, clearing the brook and re-grading its banks.
106. The de-culverting of part of Swann Brook would serve to ensure compliance with Policy ENV5 of the BCCS, which states that *“all development should open up culverted watercourses where feasible and ensure development does not occur over existing culverts...”* Furthermore it is considered that the de-culverting of the brook would also significantly add to the quality and variability of the landscaping, and potentially benefit wildlife.
107. The Environment Agency has removed its initial objection to the proposed development with respect to flood risk and drainage subject to conditions requiring the delivery of enhancement works to Swann Brook.

Archaeology

108. Regarding archaeology it is notable that prior to the period of the Industrial Revolution the area of the proposed development appears to have been largely open park land associated with Dudley Castle and of a correspondingly low archaeological potential. Later development largely took the form of mineral extraction, limestone quarrying and burning and the creation of a Transport corridor linked to the railways from the period of the Oxford, Worcester and Wolverhampton Railway in the 1850's up to the 20th use of most of the site as a Freightliner depot which closed in 1987.

109. The land is, therefore, of potential archaeological interest in relation to the growth of industry in Dudley in the 18th and 19th centuries and it is considered that there is potential for the survival on the site of significant below ground archaeological remains from the period of the Industrial Revolution. These will need to be taken fully into account and dealt with as part of the planning process and prior to development of the site taking place.
110. In this regard and in line with the NPPF and Saved UDP Policies HE8 & HE11 the applicant has commissioned an Archaeological Desk Based Assessment (DBA) and a report has been produced by Halcrow entitled "Castle Hill Development" December 2012.
111. The DBA suggests that modern transport related land uses involving extensive levelling and latterly the dumping of materials over the site resulting in increased levels of overburden will have obscured and could be protective of archaeological remains, particularly given the limited degree of ground disturbance that will accompany any new car parking layout. However, there are areas of the development site, in particular the "East Castle Limestone Works" where archaeological preservation including banks of kilns for lime burning might be expected and it is not clear what degree of impact car park construction levels might have.
112. This does not in itself justify preventing development from taking place but any surviving remains need to be located through archaeological evaluation trenching that demonstrates the actual degree of survival and allows an assessment of the significance of the material. Detailed archaeological recording may then need to be undertaken to an extent that would provide enough information to constitute reasonable mitigation against the potential destruction of the remains as part of the redevelopment. Dependent upon the condition, location and depth of surviving remains it may prove justifiable to require "preservation in situ", which is the preferred policy route (Saved policy HE11 of the UDP).

113. Effectively, the way forward is as set out by Halcrow in section 6.5 “Recommendations” of the DBA that states:

“Much of the site comprises “made” and “worked” ground therefore preservation in situ should be possible. Should remains of the kiln structures exist and the proposals were to impact upon them it is likely that a programme of archaeological investigation would be required to achieve preservation by recording both prior to and during construction works”

114. An archaeological investigation condition would achieve all of this.

Trees

115. The proposed development would involve the felling of some individual trees and some groups or parts of groups of trees. The trees to be removed are not significant in terms of their public amenity value or as structural components within the local landscape. The proposed development would be underpinned by a landscape strategy scheme would seek to provide significant replacement planting. The replacement planting would largely form part of the overall nature conservation enhancement and mitigation scheme with tree planting to form appropriate habitats to bats whilst also provide a landscaped setting for the proposed car parking areas. The development would retain a number of trees; conditions would be needed to protect retained trees during the construction of the development. The proposed development would be in accordance with saved Policies NC9 and NC10 of the Dudley Unitary Development Plan.

Geology

116. Castle Hill is an upfold (anticline) in the Much Wenlock Limestone Formation (Dudley Limestone) which gives rise to the hill on which the castle stands. A thousand years of limestone quarrying from its slopes and mining beneath the landscape has revealed significant and unique geological and paleontological heritage. Castle Hill and nearby Wren’s Nest Hill were the key sites which provided the evidence that led

to the establishment of the Silurian Period of geological time – an international time division used by earth scientists across the globe.

117. In geological heritage terms, rock exposures of Castle Hill, including those of the zoological gardens and the underground canals are SINC's (Sites of Importance for Nature Conservation).
118. The application site lies on the boundary of the SINC area and there is unlikely to be any direct negative physical impact on the geological features of the Castle Hill SINC from these works. Excavations occurring as part of this work are actually likely to result in positive beneficial outcomes for the geological heritage in line with good practice established in DMBC's Nature Conservation SPD and Black Country core strategy policy.
119. This is particularly true of the rather more subdued topography of the land in the application site (which lies immediately to the east of the slopes of castle hill). This area is underlain by the soft mudstones of the Lower Elton Formation and succeeding younger strata. Exposures of these softer strata are extremely rare and as such development excavations offer an important opportunity to view; record and sample these geological horizons.
120. The application land is contained within an area identified as Geological Consideration Zone. Within these zones development has the chance to enhance the geological heritage value through temporary access to strata in excavations or inclusion of permanent post-completion features within development designs.
121. The proposed development would provide a number of opportunities for enhancing the geological heritage. These opportunities would present themselves at different points in the scheme as it proceeds.
122. The first opportunities will arise at the site investigation phase when trial pits and boreholes would establish the engineering parameters for the forward practical development of the site. Such investigations would frame the likelihood of useful

geological exposure in the following development phases and would allow a scheme to be established for maximising the heritage gain through timed site visits to temporary rock exposures as they occur for recording and sampling before they are covered by hard development. This can be secured by condition.

123. Within the development design there is clearly an element of interpretation planned along access routes and at information points. This could include information about the special geological features, landforms and mining heritage. This can be secured by condition.
124. The choice of materials in the hard development of the piazza, the development areas and the transportation routes and walkways of the scheme also offer opportunities. Inclusion of natural stone features could compliment and extend urban design elements currently included in the Dudley Town Centre geological Trail and the stories of all three major visitor attractions of the hill.
125. There are some aspects of the scheme that will need careful planning and engineering input to ensure that existing features are not harmed by the construction phase and the after uses. In particular where the land train route crosses the tunnel portal to Lord Wards Tunnel it would be important to ensure that appropriate engineering measures are in place to protect the tunnel during and after the works from vibrations and excessive loadings.
126. In summary, the proposed development would present no negative impact for existing geological heritage features at, or adjacent to, the site of the application site. There proposed development would also provide opportunities to plan and design in significant beneficial outcomes and positive impacts in terms of geology thereby being in accordance with saved Policy NC7 of the Dudley Unitary Development Plan.

Planning Obligations

127. Black Country Core Strategy 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.

128. 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.
129. In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:
- b) necessary to make the development acceptable in planning terms;
 - d) directly related to the development;
 - e) fairly and reasonably related in scale and kind to the development.
130. Following consideration of the above tests the following planning obligations are required for this application:

On-Site Provision (to be secured by condition)

- Economic and Community Strategy Statement.
- Nature Conservation Enhancements in accordance with recommendations set out within this report.
- Public Art to be included within the detailed scheme.
- Transport Infrastructure Improvements and Air Quality Improvements to be delivered in the form of the provision of a cycle path within the development, provision of electric vehicle charging points and submission of a low emission strategy.

131. It is considered that these contributions meet the necessary tests as stated above in that they contribute to the delivery of a sustainable development, are being provided directly on the development site itself and are deemed to be in scale and kind to the proposed development.

132. This development complies with the requirements of BCCS Policy DEL1 and the Planning Obligations SPD.

133. The applicant has agreed to the delivery of these onsite planning obligations.

CONCLUSION

134. The scheme would help in delivering sustainable development making a positive contribution towards:

- the local economy in the form of delivering the first phase of a major development thereby supporting job creation and the expansion of the visitor economy;
- the creation of a good quality development providing additional opportunities for recreational use in the form of walking and cycling thereby supporting the health and well-being of the local community (social role);
- the enhancement of the natural environment through improvements to biodiversity and measures to mitigate and adapt to climate change including the completion of a low emission strategy and provision of electric vehicle charging points and cycle parking (environmental role).

135. The proposals would form the first phase of a wider project to develop the site in a way that would assist in the development of the visitor economy of the Borough and in particular an expansion in visitor numbers at the Zoological Gardens, The Black Country Living Museum and The Dudley Canal Trust as well as facilitating the development and regeneration of Dudley town centre as a centre for entertainment, leisure and recreation.

136. The proposed development would facilitate the delivery of shared visitor facilities for the existing tourist attractions in the form of improved parking and linkages between the site for pedestrians and cyclists. The infrastructure would be set within a landscaped environment that would serve to assimilate the proposed development

into the surrounding area whilst also ensuring the delivery of ecological mitigation and enhancement.

137. The proposal would provide adequate car parking to cater for its needs and would redistribute existing trips around the highway network rather than creating new trips. In this regard, the proposed development would not have a detrimental effect on the capacity and safe operation of the highway network.
138. The scheme would result in an increase in the overall number of car parking spaces to serve the existing attractions as a means of supporting an increase in visitor numbers. This increase would have some impacts upon air quality in terms of additional vehicles visiting the site. The potential impacts upon air quality can be mitigated through the provision of electric vehicle charging points and the implementation of an air quality strategy.
139. The proposed development would involve the loss of a number of trees and groups of trees. The loss of the trees would not raise visual amenity concerns and the proposed landscaping scheme would include replacement tree planting in the interests of creating a landscaped setting for the site and to retain the integrity of existing wildlife corridors and ecological habitats.
140. The applicant has agreed, in principle to the partial de-culverting and improvement of Swann Brook to allow the creation of some sustainable drainage techniques as well as serving to improve water quality. The proposed development would not pose concerns with respect to surface water runoff or flood risk.
141. The proposed development does raise some concerns in terms of the purpose, function and design of the visitor hub and loss of existing habitat that forms part of a SLINC and other habitat within the site that supports protected species as well as species of regional and local importance. However, on balance, subject to the implementation of a nature conservation enhancement and mitigation scheme and conditions to ensure the delivery of a robust landscaping and public realm strategy, the overriding economic regeneration benefits of the development facilitating

improvements to the visitor economy in accordance with regional and local planning policy would outweigh any potential harm arising from the scheme.

RECOMMENDATION

142. It is recommended that the application be APPROVED subject to conditions and;

That the applicant be invited to make an application to the Secretary of state, under Sec. 247 T & C Planning Act 1990 to close, create and improve highways as shown on Dwg. No. M072-26 and M072-21 to enable development authorised by planning permission to take place. The full costs and works to the Local Authorities satisfaction shall be met by the developer.

Reason for approval

The scheme would help in delivering sustainable development making a positive contribution towards:

- the local economy in the form of delivering the first phase of a major development thereby supporting job creation and the expansion of the visitor economy;
- the creation of a good quality development providing additional opportunities for recreational use in the form of walking and cycling thereby supporting the health and well-being of the local community (social role);
- the enhancement of the natural environment through improvements to biodiversity and measures to mitigate and adapt to climate change including the completion of a low emission strategy and provision of electric vehicle charging points and cycle parking (environmental role).

The proposals would form the first phase of a wider project to develop the site in a way that would assist in the development of the visitor economy of the Borough and in particular an expansion in visitor numbers at the Zoological Gardens, The Black Country Living Museum and The Dudley Canal Trust as well as facilitating the development and regeneration of Dudley town centre as a centre for entertainment, leisure and recreation.

The proposed development would facilitate the delivery of shared visitor facilities for the existing tourist attractions in the form of improved parking and linkages between the site for pedestrians and cyclists. The infrastructure would be set within a landscaped environment that would serve to assimilate the proposed development into the surrounding area whilst also ensuring the delivery of ecological mitigation and enhancement.

The proposal would provide adequate car parking to cater for its needs and would redistribute existing trips around the highway network rather than creating new trips. In this regard, the proposed development would not have a detrimental effect on the capacity and safe operation of the highway network.

The scheme would result in an increase in the overall number of car parking spaces to serve the existing attractions as a means of supporting an increase in visitor numbers. This increase would have some impacts upon air quality in terms of additional vehicles visiting the site. The potential impacts upon air quality can be mitigated through the provision of electric vehicle charging points and the implementation of an air quality strategy.

The proposed development would involve the loss of a number of trees and groups of trees. The loss of the trees would not raise visual amenity concerns and the proposed landscaping scheme would include replacement tree planting in the interests of creating a landscaped setting for the site and to retain the integrity of existing wildlife corridors and ecological habitats.

The applicant has agreed, in principle to the partial de-culverting and improvement of Swann Brook to allow the creation of some sustainable drainage techniques as well as serving to improve water quality. The proposed development would not pose concerns with respect to surface water runoff or flood risk.

The proposed development does raise some concerns in terms of the purpose, function and design of the visitor hub and loss of existing habitat that forms part of a

SLINC and other habitat within the site that supports protected species as well as species of regional and local importance. However, on balance, subject to the implementation of a nature conservation enhancement and mitigation scheme and conditions to ensure the delivery of a robust landscaping and public realm strategy, the overriding economic regeneration benefits of the development facilitating improvements to the visitor economy in accordance with regional and local planning policy would outweigh any potential harm arising from the scheme.

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

CANAL AND RIVER TRUST INFORMATIVE

The applicant/developer is advised to contact the Works Engineering Team on 01827 252000 of the Canal and River Trust in order to ensure that any necessary consents are obtained and that the works comply with the Trust's "Code of Practice for Works affecting Canal & River Trust."

ADVERTISEMENT CONSENT INFORMATIVE

The Masterplan hereby approved (M072-20) indicates the locations of proposed flag poles and banner signs. The applicant should be aware that separate advertisement consent would be required for these aspect to the proposed development.

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 development hereby permitted shall be carried out in accordance with the following approved plans: M072-06C, M072-20, M072-21, M072-26, M072-22, M072-23, M072-24(1), M072-24(2), M072-27A, M072-28A, M072-29A, AMPJ353

A100, 1877.sk001F, CD 001A, CD 002A, CE/GT-015/001, CE/GT-015/002, CE/GT-015/003, CE/GT/004, M072-30A, M072-31

3. No development shall commence until details of nature conservation enhancement works have been submitted to and approved in writing by the Local Planning Authority. The nature conservation enhancement scheme shall include details of establishment and maintenance. The approved enhancement works shall thereafter be provided in accordance with the approved details prior to completion of the development and be maintained for the life of the development.
4. No development shall commence until details of works of public art have been submitted to and approved in writing by the Local Planning Authority. The works of public art shall thereafter be provided in accordance with the approved details prior to first occupation of the development and be maintained for the life of the development.
5. No development shall commence until an Economic and Community Development Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall address as a minimum, measures to increase the number of jobs open to local people available on the site and the development of initiatives that support activities to upskill local unemployed people of working age so as to support them into sustained employment as outlined in the Council's Planning Obligations Supplementary Planning Document. The development shall be implemented in accordance with the approved Statement and retained in accordance with the Statement for the lifetime of the development.
6. No development shall commence until details of the design, size, location, artwork and text for interpretation panels have been submitted to and approved in writing by the Local Planning Authority. The Interpretation Panels shall thereafter be installed in accordance with the approved details prior to the first occupation of the development and shall be maintained for the life of the development.
7. No works should commence, or continue, if the most recent protected species survey and assessment is over 12 months old. These surveys and assessments must be of, or above, the standard detailed within the Nature Conservation SPD. They must include the whole of the site (including appropriate areas adjacent to the site) and be carried out by an experienced and qualified ecological consultant and integrated into a site mitigation plan. All of these must be submitted to and approved in writing by the Council before any works commence (or continue). All works must be carried out in accordance to the approved plan.
8. Any trenches, including foundations, should be covered with boards and ramps placed in them overnight to limit their hazard to badgers. Similarly loose mounds of soil should be fenced to exclude badgers. A protocol detailing this will be submitted to and approved in writing by the Council before any works proceed. All works must be carried out in accordance to the approved protocol.
9. The demolition of the buildings and the clearance of trees and other vegetation should avoid the bird nesting season (February – August inclusive) unless a breeding bird assessment (with recommendations) is carried out by a trained ecologist within 7 days of the works commencing. This should be submitted in writing and approved by the Council before works begin. All works must be carried out in accordance to the approved assessment's recommendations. Similarly tiles, trees and other features where bats or birds could be present (see the ecological reports for details) should be removed carefully by hand. If bats or nesting birds are found or suspected all works must stop immediately and Natural

England, the project's ecologist and the Local Planning Authority must be contacted at once. Works should not re-commence until relevant licences have been obtained and written permission is granted by Natural England and the Council. All works must be carried out in accordance to any licences obtained.

10. Before development begins a plan detailing outside lighting will be submitted and approved in writing by the LPA. All works must be carried out in accordance to the approved plan and conform to these requirements for the life of the development. All outside lighting should conform to the Bat Conservation Trust and Institute for Lighting Engineers' guidance 'Bats and lighting in the UK'. It should be close to the ground and directed downwards and away from the surrounding wildlife habitat.
11. Prior to the commencement of development, an ecological mitigation plan (including an establishment and maintenance programme) and the long term management of retained habitats within the site shall be submitted to and approved in writing by the Local Planning Authority. The ecological mitigation and maintenance plan shall include those recommendations set out within the submitted ecological reports that form part of this planning application submission with respect to bats, great crested newts, grassland and orchids and Peggy's Meadow SLINC. The mitigation shall be implemented in accordance with those details set out in the mitigation plan and retained for the lifetime of the development.
12. If protected species are found during any stage of the development all works must stop immediately and Natural England, the project's ecologist and the Local Planning Authority must be contacted immediately. Works should not re-commence until relevant licences have been obtained and written permission is granted by Natural England and the Council.
13. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority of temporary exclusion fencing to be erected during construction around the retained badger sett and retained grassland and orchid habitat within the south eastern part of the site. The fencing shall be erected in accordance with the approved details and retained during construction and only removed once works have completed.
14. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be in accordance with the Landscape Strategy (Drawing No. M072-22) and Planting Proposals (Drawing No. M072-23) hereby approved. The detailed scheme shall include details relating to the long-term management and maintenance of the landscaping associated with the development. The approved scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
15. Prior to the commencement of development, details of the boundary treatments and retaining walls/fences to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include location of boundary treatment. Elevation details shall also be supplied, or planting species/distances, as appropriate. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

16. No works involving the demolition or alteration of the existing limestone boundary wall to Castle Hill shall commence until the developer has secured the implementation of a programme of archaeological buildings recording work and for subsequent analysis, reporting and archiving all to be in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the local planning authority. Following approval of the WSI all such works will be carried out in accordance with the agreed details.
17. Following the satisfactory completion of the archaeological recording required by condition 16 of this consent the existing limestone boundary wall to Castle Hill to be affected by the new access shall be carefully dismantled and the building stone thus generated shall be stored in a secure location which has been approved in writing by the local planning authority pending appropriate future re-use on the site and prior to the new access arrangements being brought into use full details shall be supplied of the proposed edge treatment of the gap in the limestone boundary wall created by the formation of the new access and such details shall be submitted to the local planning authority for approval in writing. Following approval all such works will be carried out in accordance with the agreed details.
18. No works of construction, levels changes, re-grading or other site clearance or infrastructure works involving ground disturbance shall begin until the developer has secured the implementation of a programme of archaeological investigation and recording work including appropriate provision for subsequent analysis, reporting and archiving in accordance with a Written Scheme of Investigation (WSI) which has first been submitted to and approved in writing by the local planning authority. The WSI shall include details of any physical archaeological evaluation works to areas identified as having the potential for archaeological significance and at the appropriate stage details of proposals for the preservation in situ of archaeological remains identified by evaluation as being of significance or with the written agreement of the local planning authority only appropriate provision for further archaeological investigation and recording required in mitigation of damage to or loss of such archaeological remains. Following approval of the WSI all such works will be carried out in accordance with the agreed details.
19. No development shall begin until an assessment of the risks posed by any contamination has been submitted to and approved by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
20. Where the approved risk assessment (required by condition 19) identifies contamination posing unacceptable risks, no development shall begin until a detailed scheme to protect the development from the effects of such contamination has been submitted to and approved by the local planning authority.
21. Unless otherwise agreed in writing with the LPA, the approved scheme (required by condition 20) shall be implemented and a verification report submitted to and approved by the LPA, before the development (or relevant phase of the development) is first occupied/brought into use.
22. Prior to the commencement of development intrusive site investigation works shall be undertaken in order to establish the exact situation regarding coal mining legacy issues of the site. Should the site investigations confirm the need for remedial works to treat any of the mine entries and/or any areas of shallow mine workings, and/or any other mitigation measures (e.g. gas protection) to ensure the safety and stability

of the proposed development, these works should be undertaken prior to the commencement of development.

23. Prior to the commencement of development a geological method statement shall be submitted to and approved by the Local Planning Authority detailing how during construction the scheme would ensure measures to encourage the geological recording of special features and the retention of these special features post development within the overall development. The scheme shall be implemented in accordance with the geological strategy and retained in place for the lifetime of the development.
24. None of the development hereby approved shall be first commenced until the location of powered two-wheeler parking spaces within the car park have been submitted to and approved in writing by the Local Planning Authority. The powered two-wheeler parking spaces shall be provided in accordance with the approved details and shall be retained for the life of the development. The development shall not be brought into operation until the powered two-wheeler parking spaces have been provided in accordance with the approved plans.
25. None of the development hereby approved shall be first commenced until the location of disabled parking spaces and widened parking spaces within the car park have been submitted to and approved in writing by the Local Planning Authority. The disabled & widened parking spaces shall be provided in accordance with the approved details and shall be retained for the life of the development. The development shall not be brought into operation until the disabled & widened parking spaces have been provided in accordance with the approved plans.
26. None of the development hereby approved shall be first commenced until the location of active electric vehicle charging points within the car park have been submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details and shall be retained for the life of the development. The development shall not be brought into operation until the charging points have been provided in accordance with the approved plans. An active charging point shall be provided adjacent to each allocated car parking space and shall be designated for the sole use of electric vehicles. The charging point shall be supplied by an independent 32 amp radial circuit and equipped with a type 2, mode 3, 7-pin socket conforming to EN61296-2.
27. None of the development hereby approved shall be first commenced until a car park management scheme has been submitted to and approved in writing by the Local Planning Authority. The car park management scheme shall be provided in accordance with the approved details and shall be retained for the life of the development. The development shall not be brought into operation until the car park management plan has been provided in accordance with the approved plans.
28. The development shall not commence until the detailed design of the highways within the development site and timescales for the works have been submitted and agreed in writing. The development should not commence until the highway scheme has been implemented in accordance with the agreed details.
29. The development shall not commence until a detailed traffic management scheme for the control of vehicles within the development site has been submitted and agreed in writing. The development should not commence until the traffic management scheme has been implemented in accordance with the agreed details and maintained for the life of the development.

30. The development shall not commence until the parking area has been surfaced and marked out in complete accordance with the approved plans, and thereafter maintained for parking for the life of the development.
31. Prior to the operation of the development hereby permitted, a low emissions strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated in accordance with the approved strategy for the lifetime of the development.
32. Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of the type, texture and colour of the materials to be used hard landscaping scheme. The development shall be implemented in accordance with the approved details and retained for the lifetime of the development.
33. All demolition, site clearance, construction work and deliveries to and from the site during the demolition and construction phase shall be limited to Monday to Friday 07.00 to 18.00, Saturday 08.00 to 14.00 and no activities on Sunday or Public Holidays .
34. Prior to the completion of development, details shall be submitted to and approved in writing by the Local Planning Authority of street furniture associated with the development. This shall include details of the siting, design and specification of seating, bollards, height restriction barriers and litter bins and all other street furniture required. The scheme shall be implemented in accordance with the approved details and retained for the lifetime of the development.
35. No development shall take place until there has been submitted, and approved in writing by the local planning authority details of the tree protection measures on site. The details shall include:
 - a. A plan showing the location and identification (with reference to a survey schedule if necessary) of all trees on, or directly adjacent to the development site, that are to be retained during construction. These trees are to be marked with a continuous outline.
 - b. A plan showing the location and identification (with reference to a survey schedule if necessary) of all the trees on, or directly adjacent to the development site that are to be removed prior to, or during development. These trees are to be marked with a dashed outline.
 - c. A plan showing the extent of the Root Protection Area, which is to be protected by physical barriers during development. The extent of the area that is to be protected will be calculated in accordance with Clause 4.6 of British Standard BS:5837 – 2012 ‘Trees in Relation to Design, Demolition and Construction– Recommendations’.
 - d. Design details of the proposed protective barriers and ground protection to be erected around the trees during development. Any protection barriers should be designed and constructed in accordance with the provisions set out in section 6.2 of British Standard BS:5837 – 2012 ‘Trees in Relation to Design, Demolition and Construction– Recommendations’.

36. No development or other operations shall commence on site or in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:
- Implementation, supervision and monitoring of the approved Tree Protection Plan.
 - Implementation, supervision and monitoring of the approved Treework Specification.
 - Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Plan.
 - Timing and phasing of arboricultural works in relation to the approved development.
37. No development or other operations shall commence on site or in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall commence on site until the approved tree felling and pruning works have been completed. All tree felling and pruning shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998 (2010) Recommendations for Tree Work.
38. All excavations to be undertaken within 6 metres of the stem of existing trees on site shall be undertaken in accordance with NJUG Publication number 10 'Guidelines for the Planning, Installation and Maintenance of Utility Services in proximity to Trees'
39. No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed service (gas, electricity and telecoms) and foul and surface water drainage layout has been submitted to and approved in writing by the Local Planning Authority. Such layout shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved service/drainage layout.
40. No development shall take place until there has been submitted to and approved in writing by the local planning authority technical details of any proposed pathway / hard surfacing / driveway / parking area within 3 metres of the outer canopy spread of any existing tree situated on or off the site. The details of the vehicular access and parking areas shall include existing and proposed ground levels, materials to be used and the relative time of construction within the whole development and must be in accordance with appropriate guidelines, namely Clause 7.4 of British Standard BS:5837 – 2012 'Trees in Relation to Design, Demolition and Construction–

Recommendations' and Arboricultural Advisory & Information Service Practice Note 'Driveways Close to Trees' (1996). Any driveway / parking areas within 3 metres of existing trees must be constructed using "no-dig" techniques incorporating appropriate surfaces to avoid damage to trees and to prevent any potential direct or indirect damage caused by trees.

41. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:
all previous uses

potential contaminants associated with those uses

a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

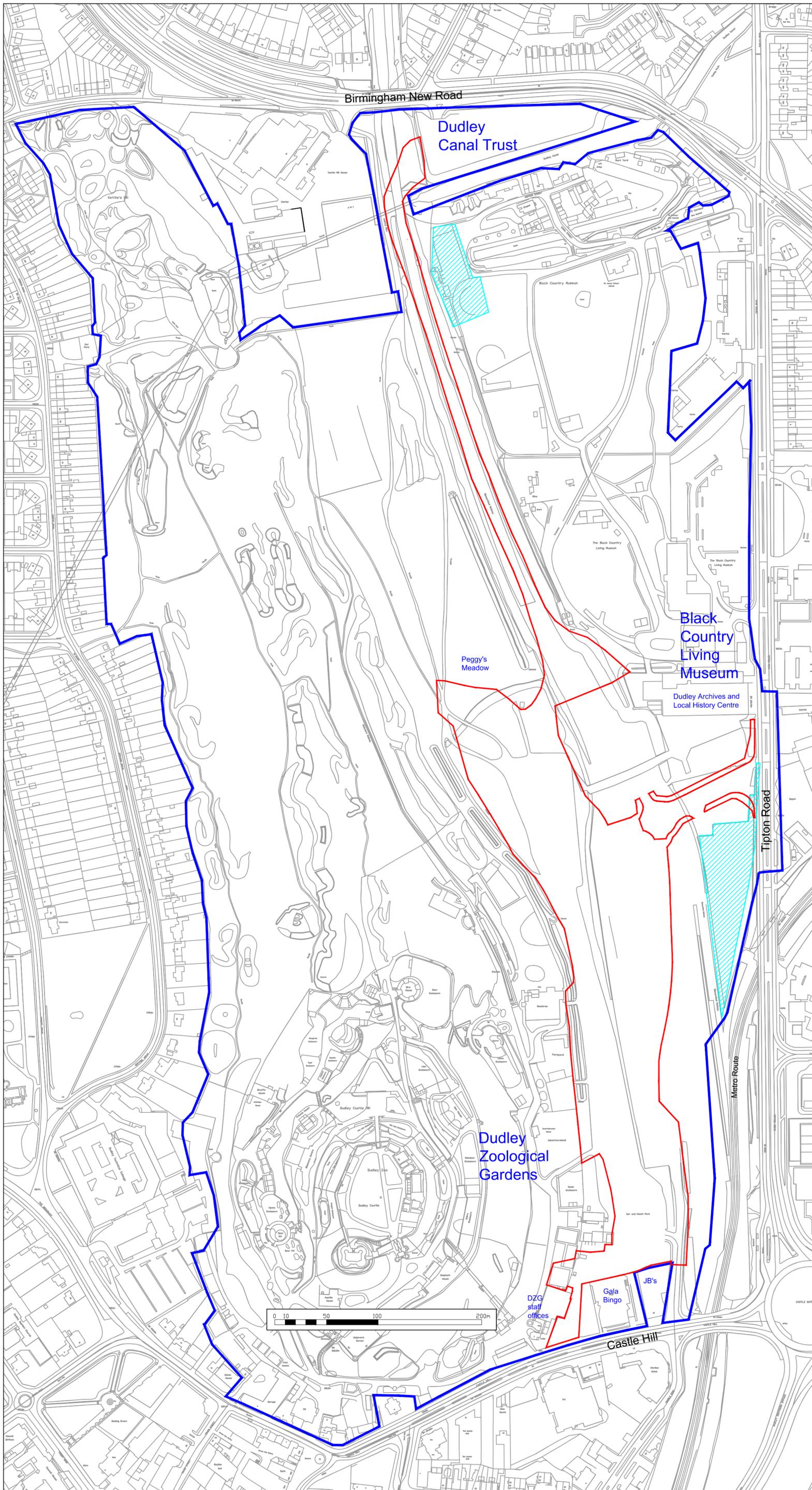
42. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

43. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

44. No development shall take place until a feasibility study to assess the viability of removing the Swan Brook from culvert has been undertaken and submitted and agreed by the local planning authority. This study should include discussions with the sewage undertaker (Severn Trent) and any hydrological impacts of culvert

removal. Should this study demonstrate that Swan Brook can be de-culverted this shall be implemented in accordance with an agreed schedule of works to be submitted to and approved in writing by the Local Planning Authority. Swan Brook shall be implemented in accordance with the details set out in the schedule of works and retained for the lifetime of the development.

45. No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules is submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include details on the removal of vegetation from the banks and watercourse corridors, the extent and type of new planting, details of any new habitat created on site, details of management responsibilities and details of maintenance regimes.
46. No development shall take place until a scheme to restore and improve the channel of the Swan Brook has been submitted and approved by the local planning authority. This shall include the channel being dug to create a gentle gradient and to encourage flow at the upstream end and to prevent cars accessing the site at Peggy's Meadow at the downstream end. the lining of the bed with inert materials such as gravels and or clays should be considere and the creation of riffles and small meanders should be considered.
47. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1:100 plus climate change critical storm will not exceed the greenfield rate run-off following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion



- Legend**
- Proposed Full planning application boundary.
 - Land within Council Ownership (excluding 2 sites of private land).
 - Land in private ownership



Job: Castle Hill Development
Drawing: Site Location Plan
Job No: M072
Drawing No: M072-06C
Revision: A Boundary Changes DH 26 Nov 12 B Boundary Changes DH 6 Dec 12 C Boundary Changes DH 13 Dec 12
Scale: 1:2500 at A2
Date: Dec 2012
Drawn: DH
Checked: RL

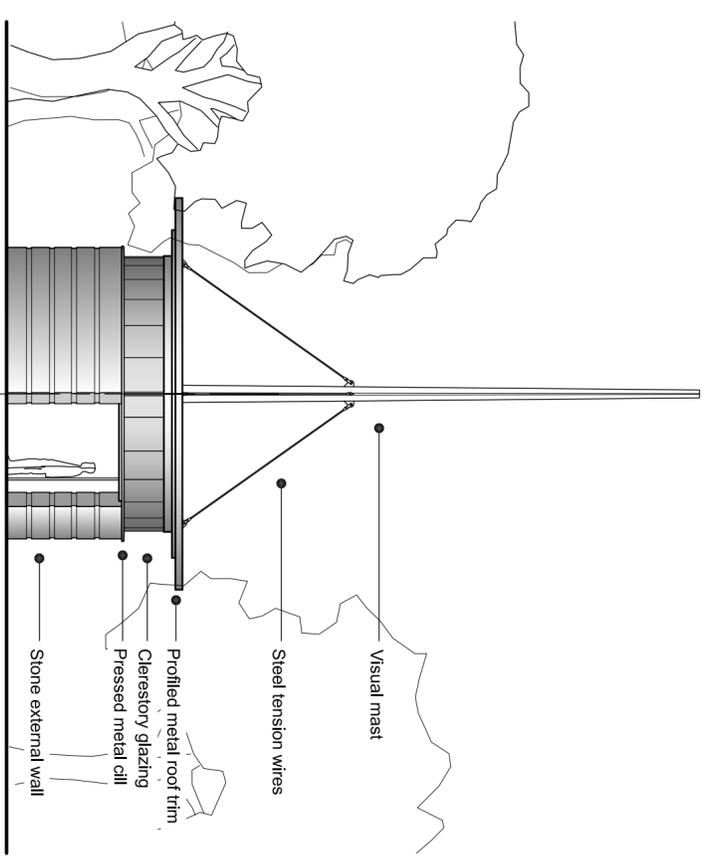
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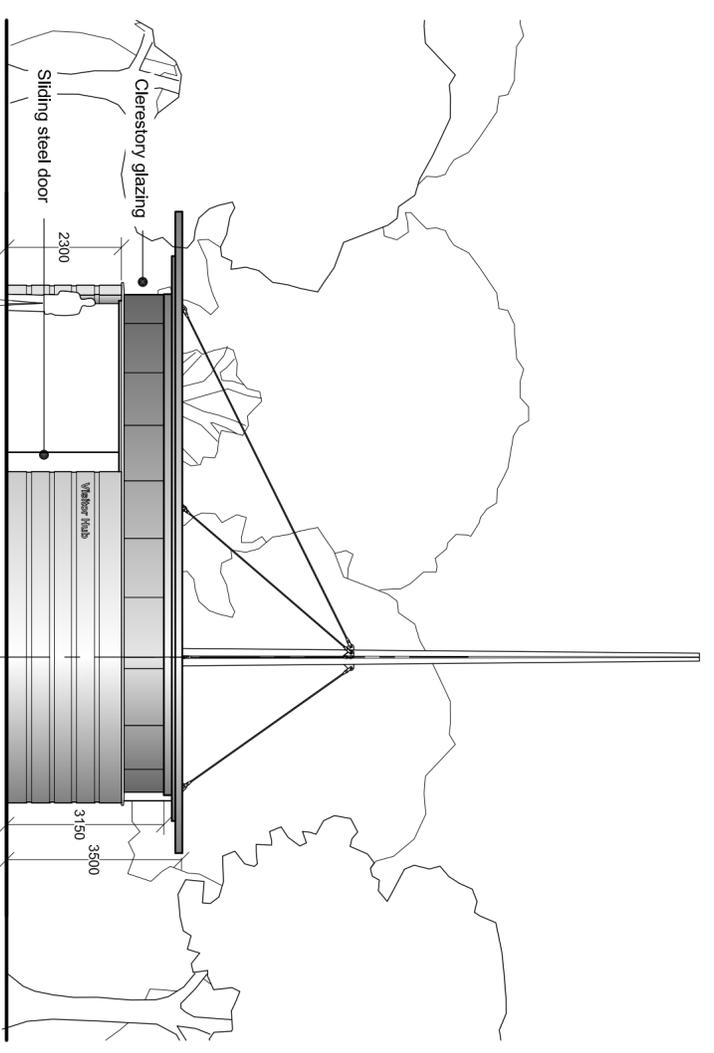
NOTES



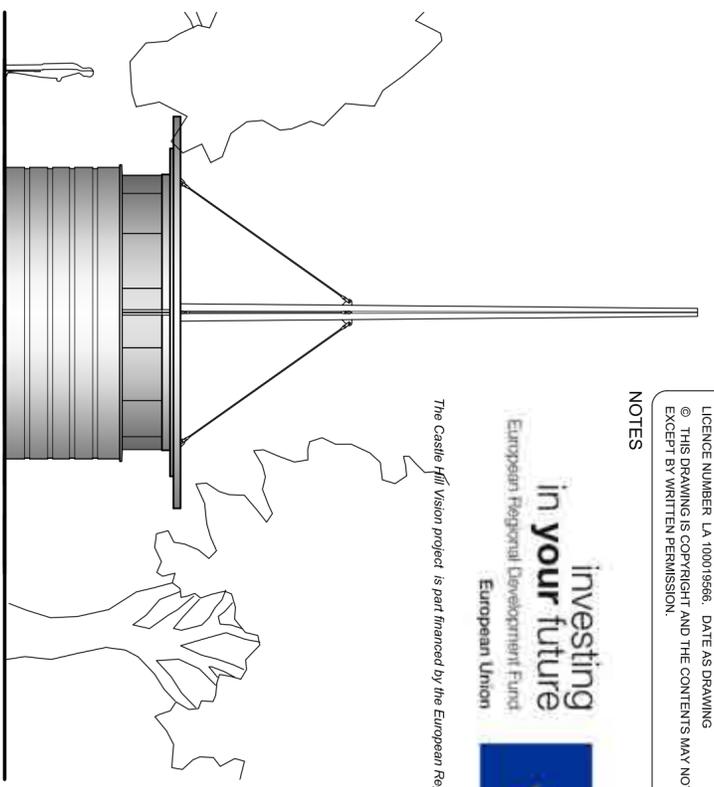
The Castle Hill Vision project is part financed by the European Regional Development Fund



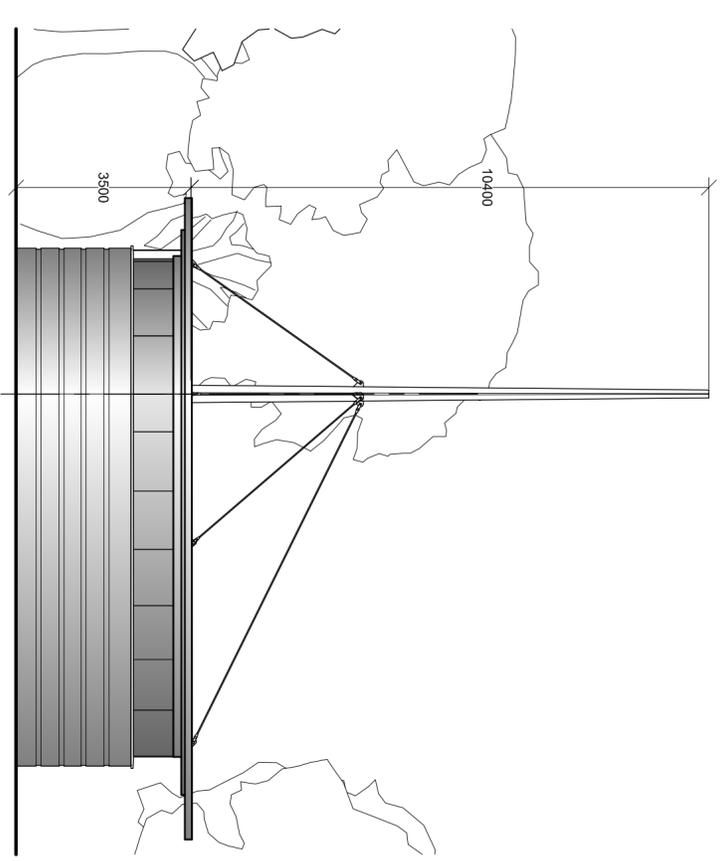
South Elevation
Scale 1:100



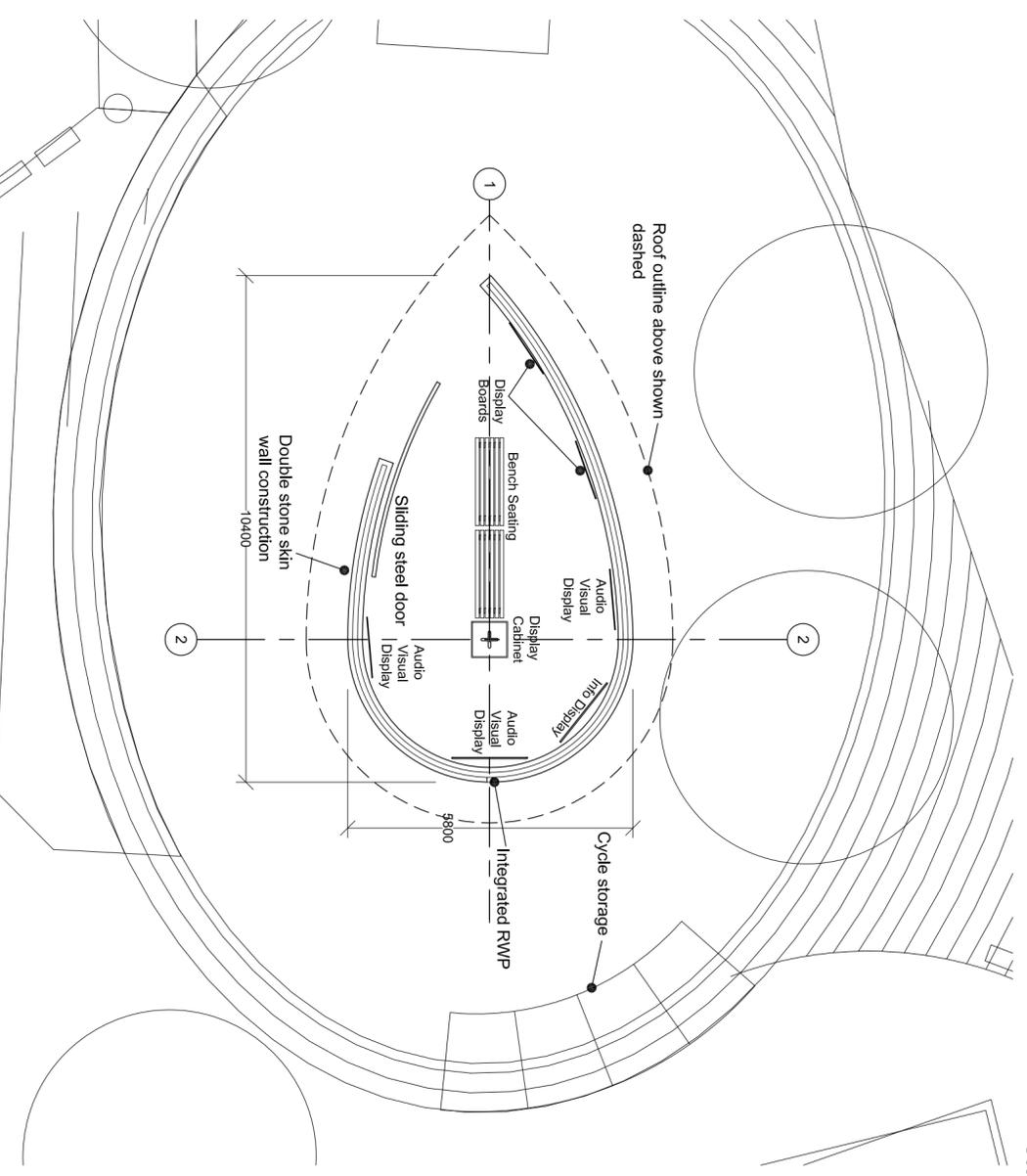
East Elevation
Scale 1:100



North Elevation
Scale 1:100



West Elevation
Scale 1:100



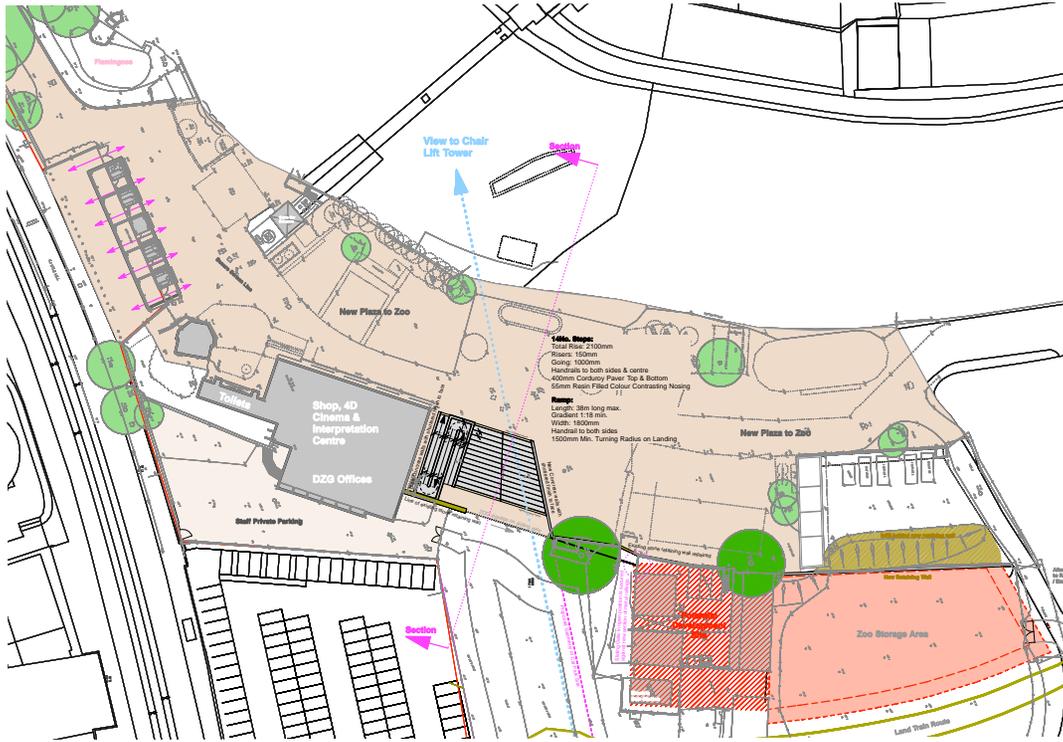
Construction and Design
 PRELIMINARY DRAWING
 NOT TO BE USED FOR CONSTRUCTION

REV	DATE	DESCRIPTION	BY

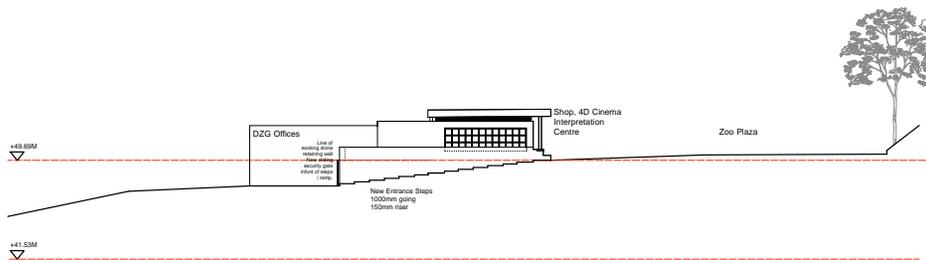
Construction and Design
 Ward House, Himley Park, Dudley, DY3 4DF
 Directorate of Children's Services
 Dudley Metropolitan Borough Council

PROJECT
 Castle Hill Vision
 Visitor Hub
DRAWING
 Proposed Plans and Elevations

Scale	Date	Drawn
1:100 @ A2	21/11/12	mic
Job Number	Drawing Number	Revision
AMPJ353	A100	.
		Plot Sheet size
		A2

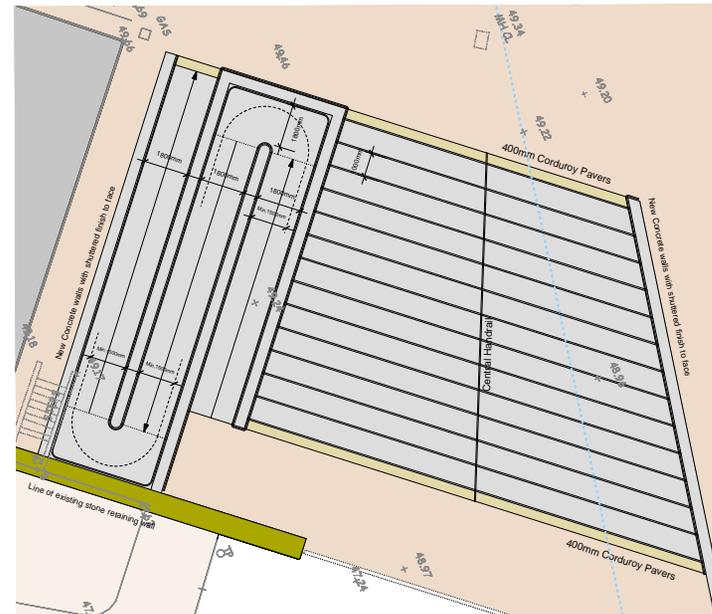


Plan Extract 1:500 @ A1



Section 1:200 @ A1

Plan Extract 1:100 @ A1



NOTES / LEGEND

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Check all dimensions on site and advise any discrepancies before commencing work.
All ground dimensions are indicated unless otherwise stated.
Location plans subject to © Crown Copyright.

Rev. F 26.11.2012 Single Chair & Ramp Physical Showen. Screen Screen Deleted.
Rev. E 26.11.2012 Alternative Stair Geometry Shown.
Rev. D 23.11.2012 Access Officer's Comments incorporated. Larger Extract Added.
Rev. C 23.11.2012 Revised ramp, stairs & gate. Other options deleted.
Rev. B 19.11.2012 Revised ramp / stairs options.
Rev. A 16.11.2012 Revised ramp / stairs options.
Revisions

DUDLEY ZOOLOGICAL GARDENS

ENTRANCE SKETCH

drawing	revision	status
1877.sk001	F	SKETCH
scale	date of this issue	BY / CH
1:500/200/100 @A1	14.11.2012	MB / LP

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BPN ARCHITECTS

Dudley Canal Trust current Planning Application P12/ 1354

Land train access and gate

Pedestrian gates

Two flights of steps with resting area 1.2m wide.

Dedicated disabled ramp 2m wide with resting areas every 750mm change in level

Recreational Route 3m width tarmac surfacing; integrated disability / pedestrian route with handrail outer edge only; resting areas every 750mm change in level.

Native shrub Planting, see Dwg M072-23

Wild Flowers/Bulbs
1.8m Mown Strip along sides of Rec.Route.

Allow Glimpse View to Canal & Canal Hub Bldg. from Recreational Route.



KEY

-  Tarmac surfacing for Recreational Route where gradients are 1:12 with landings
-  Existing canopy and vegetation subject management to enhance ground flora species
-  Proposed native and semi-ornamental shrub planting
-  Proposed wildflower grass areas with bulb planting
-  Proposed tree planting
-  Existing Boundary fence-line (dashed where line altered)
-  Re-aligned boundary fence-line
-  Proposed gates as annotated
-  Existing Contours (blue lines) and steep banks
-  Proposed spot levels (existing in brackets)
-  Retaining Walls
-  Proposed handrails

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Job: Castle Hill Development

Drawing: Dudley Canal Trust
connection with the
Recreational Route
Job No: M072

Drawing No: M072-30A
Revision:
A Minor amendments DH 14 Dec 12

Scale: 1:200 at A2
Date: Nov 2012

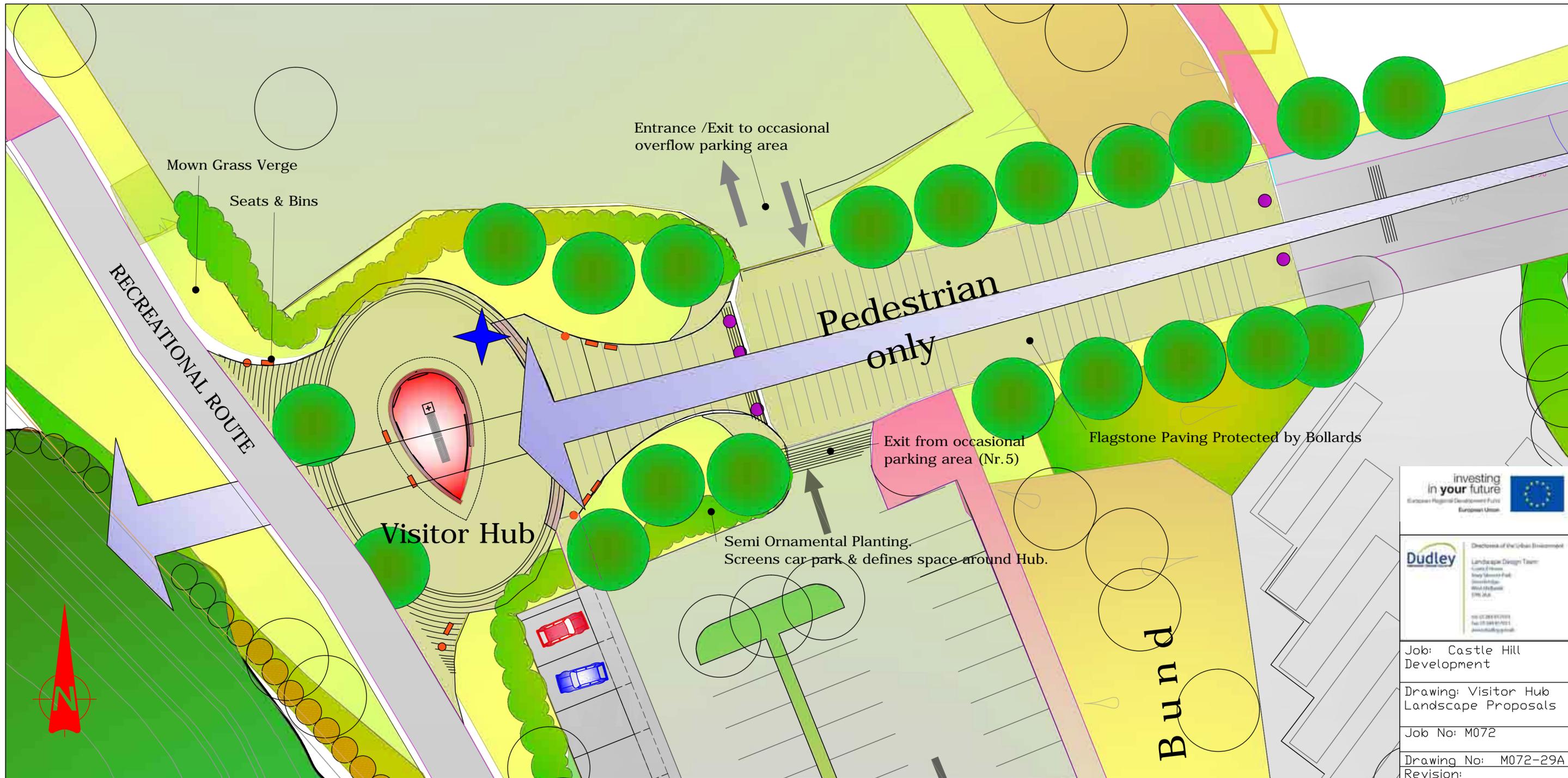
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Checked: NC

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Recreational Route

Embankment



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Dudley
Department of the Urban Environment
Landscape Design Team
Lynne Wilson
Amy Vernon-Pull
Gemma Wilson
Wendy Brown
19th Dec

Job: Castle Hill Development
 Drawing: Visitor Hub Landscape Proposals
 Job No: M072
 Drawing No: M072-29A
 Revision: A Minor amendments
 DH 14 Dec 12

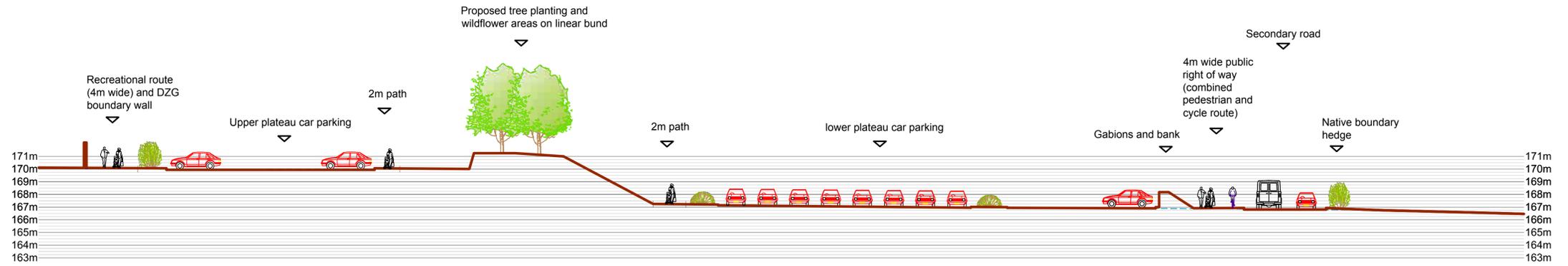
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KEY

	Yorkstone or small unit paving		Proposed bollards		Proposed ornamental shrub planting		Seats and litter bins
	Tarmac surfacing		Timber cladding to zoo boundary wall, consisting of vertical half-round timber		Proposed mown grass		Interpretation/ art feature
	Grass reinforcement surfacing		Axial view from island		Proposed wildflower areas		Steep Banks
	Adjacent basalt paths		Proposed tree planting				

Gen A-A Typical Section 1:200

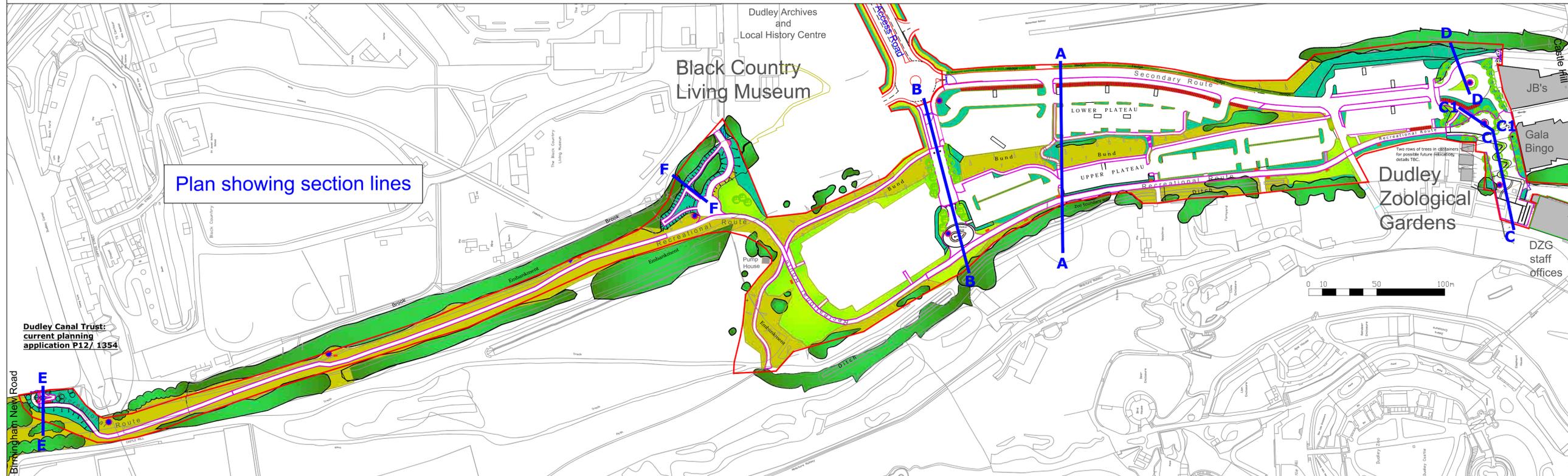


Visitor Hub B-B 1:200



LEGEND:

- Existing trees
- Proposed trees
- Proposed shrubs
- Proposed ground level
- Existing ground level



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Dudley
Landscape Design Team:
Liam Bennett
Neil Bennett
Mark Bennett
DPM Ltd

no. 02 020 0000
02 020 0000
020 0000 0000

Job: Castle Hill Development

Drawing: Landscape Sections
1 of 2

Job No: M072

Drawing No: M072-24 (1)

Revision:

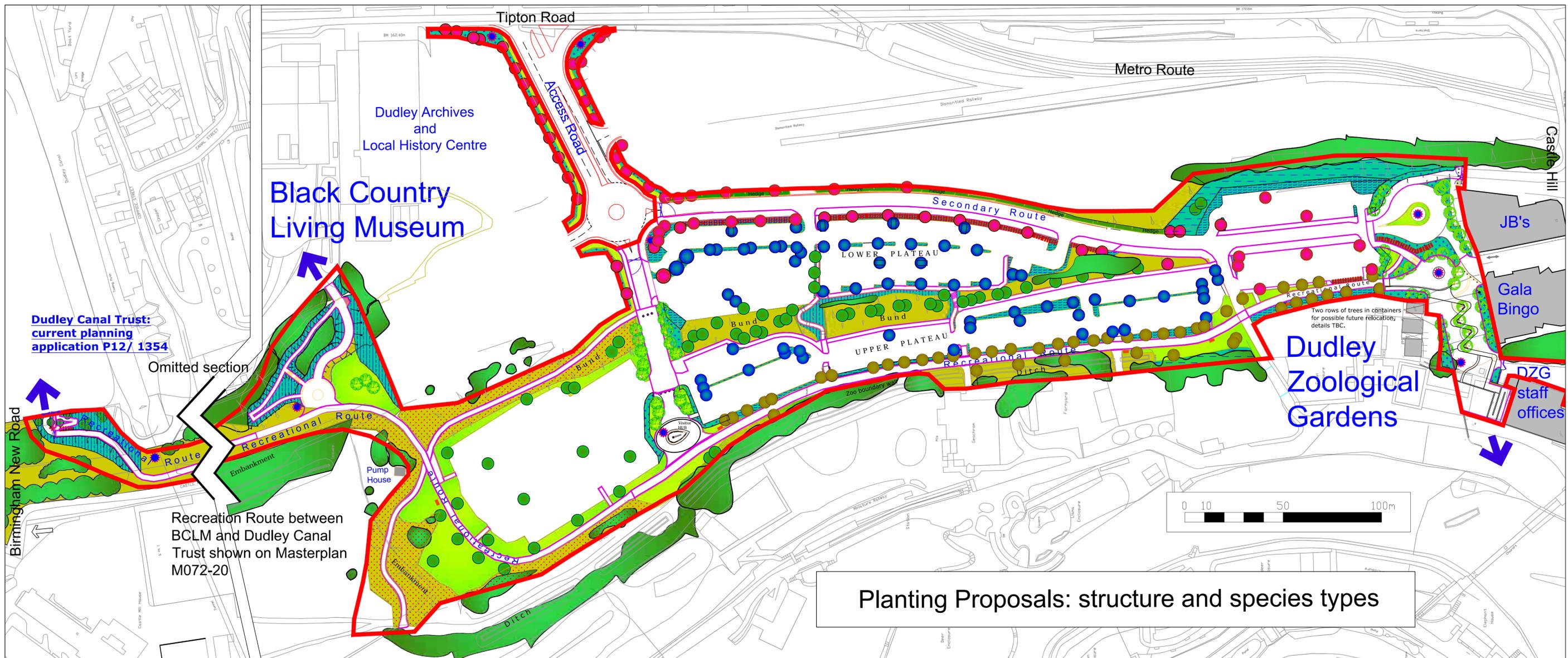
Scale: 1:200 sections at A1
Plan NTS

Date: Dec 2012

Drawn: RL

Checked: DH

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LEGEND

- Planning Application Boundary
- Pedestrian routes/ areas
- Steep slopes/ banks
- Existing trees & scrub adjacent to & within site to be retained
- Seating (orange)
- Interpretation and art Proposed locations
- Gabions / retaining walls

TREES

- Proposed tree species palettes**
- Semi-mature tree planting (DZG piazza and Visitor hub)
 - Semi-mature trees*
 - Carpinus betulus 'Fastigiata'*
 - Platanus x hispanica*
 - Acer platanoides 'Globosum'*
 - Extra Heavy standard sizes (refer to schedules)**
 - Entrance and avenue tree planting (18-20 cm girth)
 - Entrance & Avenue trees*
 - Liquidambar styraciflua*
 - Carpinus betulus 'Fastigiata'*
 - Thuja cordata 'Greenovata'*
 - Recreational Route tree planting (14-16 cm girth)
 - Recreational Route*
 - Prunus avium*
 - Prunus sp. 'caerulea' eg. Kanan*
 - Carpinus betulus*
 - Car park tree planting (14-16 cm girth)
 - Car parks*
 - Pyrus calleryana 'Chanticleer'*
 - Sorbus aucuparia 'Ezildley'*
 - Malus 'Golden Horns'*
 - Alnus glutinosa*
 - Betula pendula*
 - Range of sizes**
 - Native tree planting mix (EHS in select locations, elsewhere feathery with occasional multi-stem)
 - Native tree planting*
 - Alnus glutinosa*
 - Prunus avium*
 - Larix decidua*
 - Pinus sp.*
 - Acer campestre*
 - Fagus sylvatica*
 - Carpinus betulus*
 - Quercus robur*
 - Castanea sativa*
 - Malus sylvestris*
 - Betula pendula*
- TREE PLANTING NOTES.** Tree planting to be clear stem to 175 - 200 cm, except where feathery/multi-stem plants used within native mixes. Trees to be double-staked, except native species on bund or away from public thoroughfares which are to be short-staked; trees in containers to be underground guyed. Trees adjacent to hard surfaces or underground services to use root deflection barrier systems, all Semi-mature/EHS trees to have irrigation systems, type TBC. All tree planting proposals subject to final detailing.

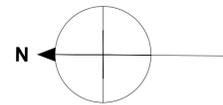
SHRUBS

- DZG piazza/ coach turning / visitor hub area: Ornamental and specimen shrubs
 - DZG Piazza/ Visitor Hub areas*
 - Stachys lanata*, *Rosmarinus officinalis*
 - Lavandula sp.*, *Buddleia davidii*, *Fernis*
 - Hebe sp.*, *Sedum sp.*, *Artemisia sp.*
 - Saxa verticillata*, *Iris sp.*, *Bergenia sp.*
 - Geranium sp.*, *Rosa sp. (shrub types)*
 - Chimonodoxys sp.*, *Philadelphus sp.*
 - Rubus sp.*, *Phormium sp.*, *Viburnum sp.*
 - Car parks - low shrubs: Ornamental / semi-ornamental shrubs
 - Car Park areas - low shrubs*
 - ornamental/ semi-ornamental*
 - Cotoneaster sp.*, *Saxifraga*, *Emerald Gaiety*
 - Rosa sp. (Groundcover)*, *Potentilla sp.*
 - Spiraea sp.*, *Hebe sp.*, *Lonicera pileata*
 - Genista hispanica*, *Ceanothus sp.*
 - Viburnum sp.*, *Berberis sp.*, *Geranium sp.*
 - Symphoricarpos 'Hancock'*
 - BCLM and linear bund: Native Low to medium height shrubs
 - BCLM and linear bund*
 - NATIVE LOW MEDIUM HEIGHT SHRUBS*
 - Carex pendula & sp. forms*
 - Hedera helix with bulbs*, *Cytisus scoparius*
 - Cornus sanguinea*, *Myrica gale*
 - Juniperus communis*, *Viburnum opulus*
 - Rosa sp. canina*, *R. arvensis*, *Clematis sp.*
 - Calluna vulgaris*, *Symphoricarpos albus*
 - Hippophae rhamnoides*
 - East bank of car park 1 and part of DZG boundary: Native shrubs, medium - high
 - East bank by car park 1*
 - NATIVE MEDIUM TALL HEIGHT SHRUBS*
 - Prunus spinosa*, *Castanopsis monogyna*
 - Ilex aquifolium*, *Corylus avellana*
 - Amelanchier laevis*, *Buxus sp.*
 - Ligustrum ovalifolium*
 - Hedge
 - Hedge Mix*
 - Castanopsis monogyna 35%*
 - Acer campestre 15%*
 - Prunus spinosa 25%*
 - Sambucus nigra 10%*
 - Rosa canina 10%*
 - Rosa arvensis 5%*
 - (5 per linear metre in double-staggered rows 450mm apart)
- TOPSOIL NOTES.** Topsoil/ subsoil storage mounds not to exceed 2m. Areas of existing soil to be retained shall be fenced off from plant and machinery, any compaction caused shall be remediated to a depth of 600mm. Imported subsoil shall seek to match existing on Peggy's Meadow, imported topsoil to BS3882 using premium grade for ornamental low shrubs/ groundcover areas, depth 450mm; mown grass areas to be 150mm depth.
- SHRUB NOTES.** Plants listed are suggestive and not final, however, they provide a strong basis of the type of species expected within each group. All shrub beds to be covered with 75mm ornamental bark mulch and subject to regular weeding, irrigation as necessary and pruning etc. Planting densities to aim between quick impact and final spread, however, will lean toward former at key locations.

GRASSLAND

- Amenity grass
- Mown amenity grass mixes, generally hard wearing with variations. Turf to be laid in strips alongside paths and other edges, grass areas to be cultivated with min 100mm topsoil depth over subsoil ensuring decompaction to a depth of 300mm.
- Hedge & woodland mixes
- Meadow & Grassland mixes

Wildflower areas using 'Emorsgate Seeds' or similar, on imported subsoil cover of 75mm depth or as advised by seed supplier. Mixes to reflect situation and soil type eg Hedge/ woodland mixes where shaded. In addition wildflower plugs and bulbs to be planted in conspicuous situations near entrances.



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Job: Castle Hill Development

Drawing: Planting Proposals

Job No: M072

Drawing No: M072-23

Revision:

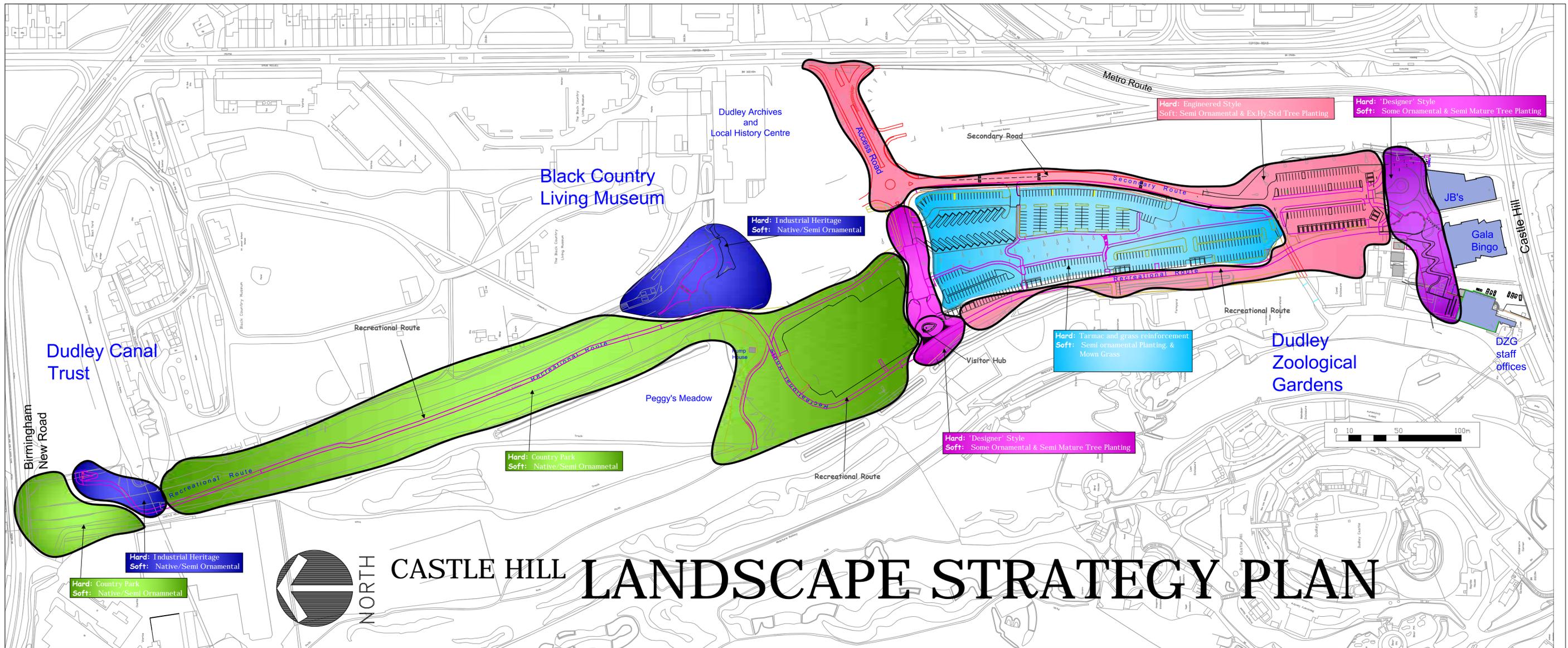
Scale: 1: 1000 at A1

Date: Dec 2012

Drawn: DH

Checked: NC

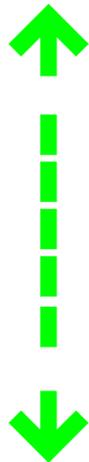
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KEY to Plan

Area	Landscape Character Description	Design Images
	'Country Park' Style. Soft Landscape: native/semi ornamental planting/wildflowers Hard Landscape: bassalt paths/timber edge. Rustic timber furniture	
	Industrial Heritage Style. Soft Landscape: native/semi ornamental planting/wildflowers Hard Landscape: References to canal vernacular e.g. blue & red brick details, bassalt paths/timber edge. Black & white painted steel.	
	'Designer' Style. Soft Landscape: Some ornamental planting, Semi mature trees. Hard Landscape: Natural stone detailing, reconstituted flagstones, corten steel/stainless steel furniture	
	Engineered Style. Soft Landscape: Semi ornamental planting ex.hy.std.trees Hard Landscape: P.C.concrete kerbs, tarmac, gabion retaining structures, steel barriers	
	Lower Key Style. Soft Landscape: Semi ornamental planting, mown grass, Hard Landscape: Tar spray & chip surfacing/timber edges.	

Some character areas will overlap. Existing trees/shrubs will be retained where appropriate to help provide a mature green infrastructure



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Planning Officer
Dudley Council

Job: Castle Hill Development

Drawing: Landscape Strategy Plan

Job No: M072

Drawing No: M072-22
Revision:

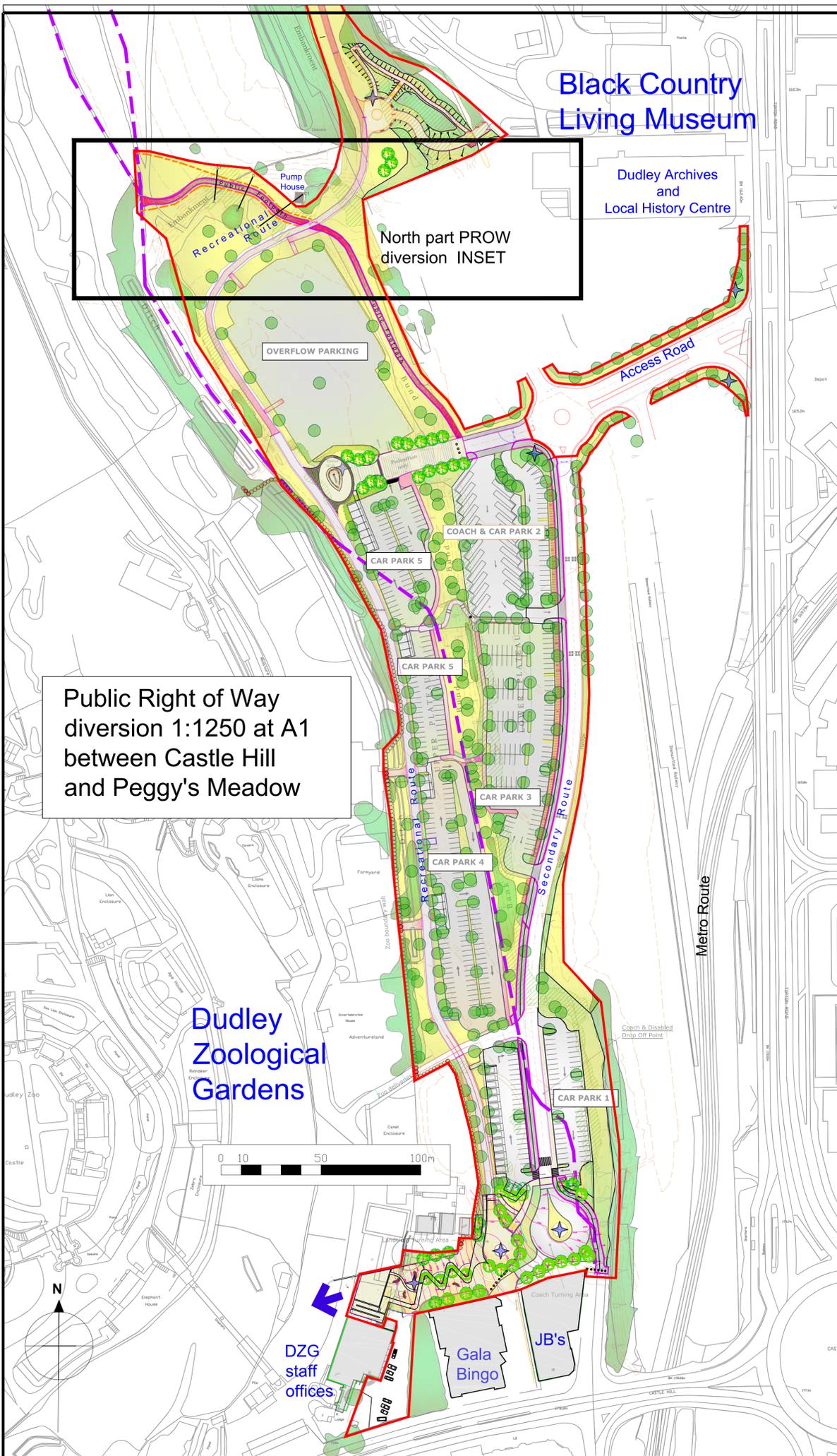
Scale: N.T.S.

Date: Dec 2012

Drawn: JB/ DH

Checked: MY

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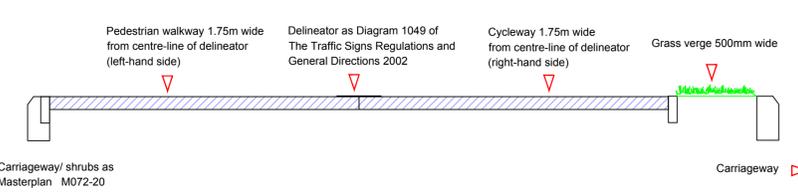


LEGEND

	Full Planning Application Boundary		Existing trees & scrub adjacent to & within site to be retained
	Existing Public Right of Way		Existing trees to be removed
	Proposed public right of way diversion zone north section tipping face area		Proposed tree planting (transparent semi-mature)
	Pedestrian routes/ areas (PROW diversion paths in bold)		Grassy areas
	Tarmac construction		Low shrubs
	Pedestrian/ cycleway delineator		Gabions alongside car park, with mounds
	Basalt or similar (well rolled and firm)		Interpretation and art
	Bollards (colour contrasting)		Spot level
	Barrier gates		Existing Contours (dashed line)
	Section Lines (See inset)		

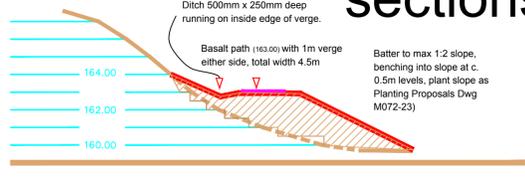
Public Right of Way diversion 1:1250 at A1 between Castle Hill and Peggy's Meadow

Combined pedestrian/ cycleway (1:20 at A1)

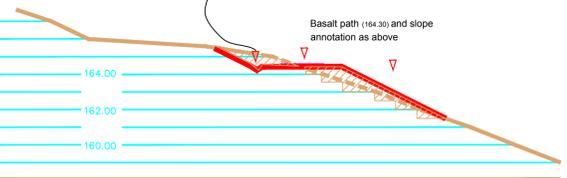


North part PROW diversion sections (1:200 at A1.)

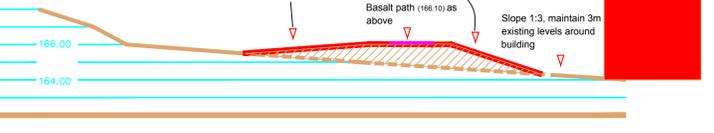
Section A-A1



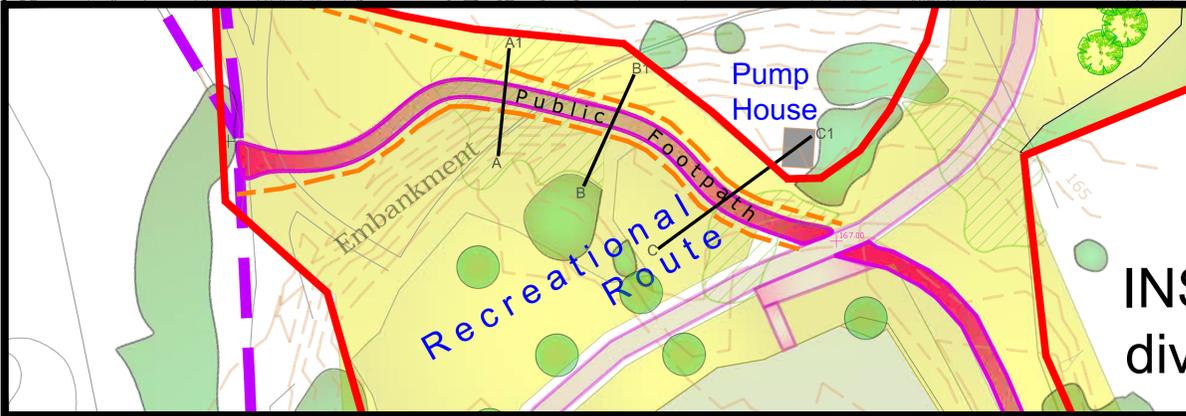
Section B-B1



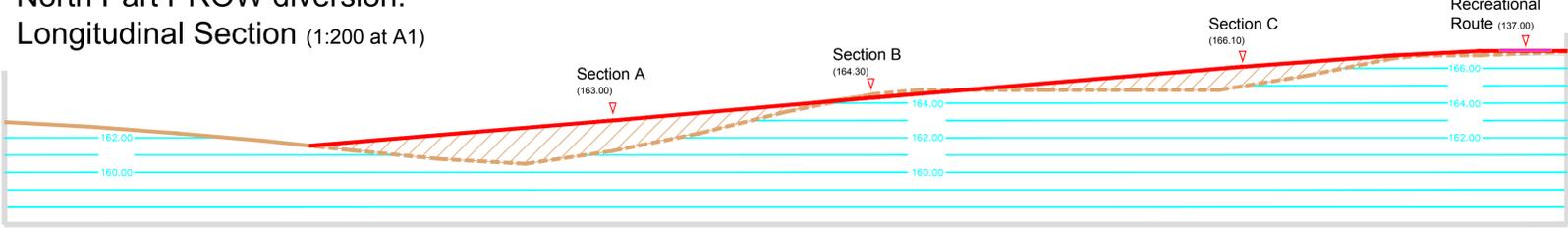
Section C-C1



INSET: North part PROW diversion (1:500 at A1.)



North Part PROW diversion: Longitudinal Section (1:200 at A1)



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Job: Castle Hill Development
 Drawing: Public Right of Way Diversion
 Job No: M072
 Drawing No: M072-21
 Revision:

Scale: Various as annotated
 Date: Dec 2012
 Drawn: DH
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