

PLANNING APPLICATION NUMBER:P21/1233

Type of approval sought	Full Planning Permission
Ward	Gornal Ward
Agent	STOAS Architects Limited
Case Officer	Richard Stevenson
Location:	LAND AT, ZOAR STREET, LOWER GORNAL, DY3 2PA
Proposal	DEMOLITION OF 23 & 25 (EGGINGTONS CHEMIST) ABBEY ROAD AND 7, 8 & 9 ZOAR STREET. ERECTION OF 1 NO. RETAIL STORE AND PHARMACY (E(A)) WITH ASSOCIATED ACCESS, CAR PARKING, SERVICING AND LANDSCAPING.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS AND 106

SITE AND SURROUNDINGS

- 1 The application site is located within Lower Gornal local centre and is located on the north side of Abbey Road and Zoar Street. The site currently consists of No. 23 Abbey Road, a vacant shop, No. 25 Abbey Road, a pharmacy, with associated land to the north and west together with Nos. 7, 8 and 9 Zoar Street and their associated land. These consist of a series 19th century dwellings or former dwellings. The site also includes the south-western corner of the Abbey Street Recreation Ground and former Council maintenance depot.
- 2 To the east of the site is Redhill Primary School and its associated former caretaker house. To the north is the retained area of the recreation grounds and to the north-west are the rear gardens of

dwellings which face onto Abbey Street. To the west of the site is the Zoar Methodist church and a club for retired persons.

- 3 The site generally falls from east to west with highest point being close to the school, and lowest point being to the north-west of the site.
- 4 The site is partly located with the boundary of Gornal Wood local centre, is partly within a designated local park, and partly within an Area of High Historic Townscape Value.

PROPOSAL

- 5 This is a full planning application for the demolition of Nos. 23 and 25 Abbey Road, Nos. 7, 8 and 9 Zoar Street and associated outbuildings and the erection of a 1315m² (net) discount supermarket, a replacement 185m² (net) pharmacy, a new access to Zoar Street, a car park, retaining structures and footpaths.
- 6 The proposed store would be located on the eastern side of the site, extending along the boundary with the school to the east of the site. The store would be single storey with an active frontage to Zoar Street. Servicing would be at the rear of the building.
- 7 The proposed pharmacy would be located towards the south-western part of the site, with the entrance from the northern side of the building. An active frontage would be provided to Abbey Street.
- 8 The access to the wider site would be located between the proposed buildings, and would be service a car park with 120 spaces which would

serve both buildings. Ten of the spaces would be specifically for the proposed pharmacy

- 9 A pedestrian walkway would be provided through site providing direct access from Zoar Street to the park to the north.
- 10 As the site falls away to the west, there is the need to raise up part of the site, most notably in the north-western section in order to provide graded plateau for the car park. Associated with these works is the need for the relocation of the of the pedestrian footpath which provides and access to the park from Abbey Street.
- 11 Highway works to Zoar Street include the provision of a right turn lane and a splitter island/pedestrian refuge in the centre of the proposed access.
- 12 During the course of the application, the site has been extended to the north-west to incorporate an area of land which was formerly used as a Council maintenance depot. Additionally, modifications have been carried out to the proposed car park retaining structure to the north-west of the site in order to ensure appropriate pedestrian visibility to the Abbey Street footpath link to the park.
- 13 The application is supported by a Planning & Retail statement, a Design and Access Statement and Ecological Surveys. The application is also accompanied by a Noise Assessment, an Air Quality Assessment and a Transport Assessment.

HISTORY

APPLICATION NO.	PROPOSAL	DECISION	DATE
SD/65/3289	Extension of existing Shop Premises with Mess Room and Toilets	Granted	18//5/1965
91/50875	Erection of Workshop Store Rooms and covered Parking Area	Withdraw	23/7/1991
91/52069	Erection of Workshop Store Rooms and covered Parking Area	Granted	27/2/1992
97/50264	Variation of Condition 2 of Planning Consent 91/52069 to Renew Consent for a further Five Years for New Offices and Workshop	Granted	20/3/1997
P03/0603	Residential and Retail Development (Outline)	Granted	17/11/2005

PUBLIC CONSULTATION

14 254 letters of objection received, following consultation with 66 adjoining neighbours, the posting of a site notice and the publication of an advert within a local newspaper. Main issues raised:

- Loss of Park
- Loss of green space
- Loss of trees
- Impact to wildlife
- No need for store. Many supermarkets in the area

- Impact to business in centre
- Impact to school – traffic, picks ups, noise, construction, safety
- Increase in traffic congestion
- Increase in HGVs
- Noise, light and air pollution - impact to health, dust
- Design not in keeping
- Disruption from construction
- Increase in anti-social behaviour – particular concern retaining structures and footway
- Trees were planted in 2000 as part of the millennium forest
- Deed in place in which requires retention of trees for 25 years
- Deed in place which requires park to be used for “public walking and as “pleasure grounds”
- Insufficient retail impact assessment
- health check insufficient and COVID
- Loss of children’s equipment
- Noise from cars, i.e. doors, radios.
- Park was an important space during COVID.
- Impact to Methodist church

A petition with 228 signatories objecting to the proposal has been received raising no additional planning issues beyond those listed above.

19 additional objections were received but cannot be taken into account as they have not duly been made.

- Will improve shopping area
- Provides discount supermarket for those without a car
- Existing store in centre is too expensive
- Will improve appearance
- Will help address ASB
- Creation of jobs
- New parking
- More choice
- Park would be opened up
- Will increase footfall
- Would like to see traffic calming
- Will be able to park next chemist
- Should be more than a supermarket
- Store will having proper loading

One additional letter of support received but cannot be taken into account as not duly made.

- 16 One letter received from a ward Councillor. Main issues raised:
- Will regenerate centre
 - Remove school traffic
 - Offers competition
 - Provide public toilets
 - Provides new pharmacy
 - Concerned that no more land will be taken from the park

OTHER CONSULTATION

- 17 Head of Planning (Highway Engineer): No objection in principle.
- 18 Head of Planning (Land Contamination Team): No objection subject to conditions.
- 19 Environmental Safety and Health: No objection from an air quality point of view and the dust suppression statement contained with the submitted assessment can be conditioned. The revised site plan makes provision for the installation of an acoustic fence on a small section of the northern boundary adjacent the proposed plant area which should be sufficient. The delivery hours that were proposed have been reduced to that which is accepted as reasonable
- 20 Head of Street, Greencare and Amenity Services: Concerns about impact to and loss of public open space. Latest version of plans show an additional encroachment into the park (approx. 300m²). Have worked with the community and friends of the park to invest and improve this facility for the local community. These improvements have been extremely successful and welcomed by the park users. Although the area of park lost to the development equates to approximately 12% of the total park, in real terms it is approximately 20% of the total grassed area, which the majority of park users utilise the most.
- 21 Lead Local Flood Authority: No objection subject to conditions.
- 22 Severn Trent Water: No objection subject to conditions.

- 23 West Midlands Police: No objection in principle. Notes the positioning of the checkouts at the front of the building and being by the window provides for natural surveillance. Considers car park should be closed at night and footpath through site also closed after hours. Lighting to car park should be left on all night.
- 24 Coal Authority: No objection subject to conditions.
- 25 Sport England: No objection. The proposed development will not affect the existing sports pitches within the central part of recreation ground.
- 26 Birmingham and Black Country Wildlife Trust: Object. The park is a Potential Site of Importance (PSI) (PSIs are areas which have potential for ecological value but have not been assessed. The PSI should be assessed as if it is SINC or SLINC. Loss of community park and green infrastructure and resulting impact this has on amenity and ecology.

It should be noted that the Trust were consulted on the initially proposed Badger mitigation proposals and considered them to be inadequate.

RELEVANT PLANNING POLICY

- National Planning Guidance
National Planning Policy Framework (Revised 2021)
Technical Guidance to the National Planning Policy Framework (2012)
Planning Practice Guidance (2014)
Community Infrastructure Levy Regulations (as amended) (2014)

- Black Country Core Strategy (2011)

CSP2 Development Outside the Growth Network

CSP3 Environmental Infrastructure

CSP4 Place Making

DEL1 Infrastructure Provision

CEN1 The Importance of the Black Country Centres for the
Regeneration

Strategy

CEN2 Hierarchy of Centres

CEN5 District Centres and Local Centres

CEN6 Meeting Local Needs for Shopping and Services

CEN7 Controlling Out-of-Centre Development

CEN8 Car Parking in Centres

TRAN2 Managing Transport Impacts of New Development

TRAN4 Creating Coherent Networks for Cycle and for Walking

TRAN5 Influencing the Demand for Travel and Travel Choices

ENV 1 Nature Conservation

ENV 2 Historic Character and Local Distinctiveness

ENV 3 Design Quality

ENV 5 Flood Risk, Sustainable Drainage Systems and Urban Heat
Island

ENV 6 Open Space, Sport and Recreation

ENV 7 Renewable Energy

ENV 8 Air Quality

- Dudley Borough Development Strategy (2017)

S1 Presumption in favour of Sustainable Development

S2 Planning for a Healthy Borough

S3 Renewable Energy

S4 Flood Risk

S5 Minimising Flood Risk and Sustainable Drainage Systems (SuDS)

S6 Urban Design

S7 Landscape Design

S8 Conservation and Enhancement of Local Character and Distinctiveness

S11 Buildings of Local Historic or Architectural Importance

S12 Areas of High Historic Townscape Value (AHHTV)

S17 Access & Impact of Development on the Transport Network

S18 Cycling

S19 Dudley Borough's Green Network

S21 Nature Conservation Enhancement, Mitigation and Compensation

S22 Mature Trees, Woodland and Ancient Woodland

S29 Public Open Space

S31 Children's Play Areas

S32 Parks

S33 Playing Fields

L11 Parking in Town Centres

L12 Shop Front Security

D1 Access for All

D2 Incompatible Land Uses

D3 Contaminated LandD4 Unstable Land

D5 Noise Pollution

D6 Light Pollution

- Supplementary Planning Guidance/Documents

Access for All Supplementary Planning Document

CIL Charging Schedule (2015) (updated 2017)

Design for Community Safety Supplementary Planning Guidance (2002)

Historic Environment Supplementary Planning Document (2017)

Nature Conservation Supplementary Planning Document (2016)

Open Space, Sport and Recreation Provision Supplementary Planning Document (2007)

Parking Standards Supplementary Planning Document (2017)

Planning Obligations Supplementary Planning Document (2016)

Shopfront and Advertisement Supplementary Planning Document (2017)

ASSESSMENT

27 The main issues are

- Principle – Retail Impact
- Principle – Part Loss of Abbey Street Recreation Ground
- Design
- Neighbour Amenity
- Access and Parking
- Nature Conservation
- Trees
- Flood Risk
- Geotechnical
- Planning Obligations
- Financial Material Considerations
- Other Matters

Policy – Retail Impact

- 28 The proposed discount food store comprises 1786m² (gross) (E(a) Use Class) retail floorspace and is located mostly within the boundary of Gornal Wood Local Centre, as designated in the Dudley Borough Development Strategy (DBDS). It should also be noted that that part of the site within the Local Centre is identified as a redevelopment opportunity within the DBDS.
- 29 Black Country Core Strategy (BCCS) Policy CEN5 (District and Local Centres) requires that any proposed convenience retail development above a threshold of 500m² (net) within a District or Local Centre will need to demonstrate that it is of an appropriate scale to the function of centre and would not undermine the vitality and viability of other centres.
- 30 Within the supporting Planning Statement (March 2021), the applicants have applied Policy CEN5 by seeking to evidence that the proposed store is of an appropriate scale for Gornal Wood Local Centre and by providing a Retail Impact Assessment to address any potential impact on nearby centres.
- 31 With regard to the appropriateness of the scale of the proposed in relation to the function of this Local Centre, the applicants state that it will enhance its vitality and viability: they evidence a +126% post-impact convenience goods turnover at the centre by 2025, and anticipate that a proportion of customers making the trip to the new Aldi store, who formerly visited larger and discount food stores further away, will potentially visit other stores within the local centre to complete their food shopping, purchase other convenience items and/or use other services (such as the Post Office, dry cleaners and pharmacy), and that, consequently, it is likely that the store will generate positive spin-off benefits for the centre, in addition to increasing the strength of its convenience goods offer.

- 32 These conclusions are largely concurred with. whilst, with reference to the 500m² threshold set out in BCCS Policy CEN5, there is an argument that the scale of the proposed store is large for a Local Centre, this has to be weighed against the potential increase in the vitality and viability of Gornal Wood Local Centre which will result from the development of this store, particularly with regard to linked trips to other shops and facilities located there.
- 33 With regard to retail impact, the submitted Retail Impact Assessment addresses planned commitments and the impact on existing centres within a 0-5 minute Primary Catchment Area (PCA), which captures the following centres: Gornal Wood Local Centre (containing the application site), Upper Gornal Local Centre, Pensnett Local Centre and Sedgley District Centre.
- 34 The applicants summarise their assessment as the proposal having no threat to commitments and planned investment and no significantly adverse impact on these identified centres: the estimated impacts on the convenience goods turnovers of these centres are -7.1% on Sedgley District Centre and -6.5% on Upper Gornal Local Centre and with no anticipated trade drawn from the limited convenience goods offer of Pensnett Local Centre.
- 35 Firstly, in considering retail impact, as well as the positive benefits towards the enhancement of the centre's vitality and viability likely to result from this proposal, it needs to be recognised that the proposed store is (mostly) within the boundaries of the Local Centre as opposed to out-of-centre, and therefore is helping to sustain a network of vibrant (District and) Local Centres, each offering an appropriate choice of facilities, helping to meet BCCS Spatial Objective 5.
- 36 On this basis, while the PCA is relatively tightly drawn (0-5 minute off-peak travel time) it is considered proportionately appropriate: for instance while the PCA excludes Dudley Town Centre and the

proposed allowance for an additional 5,000m² (net) of convenience retail floorspace there, through the provisions of BCCS Policy CEN4 (Regeneration of Town Centres), it does include the existing Aldi store on Priory Road, which is on the assumption made by the applicants, and largely concurred with, that “like competes with like”, that an out-of-centre store is likely to be impacted upon by the proposal more than the existing stores or the proposed allocation for additional retail floorspace within the town centre.

37 Therefore, the largest diversion of trade resulting from this proposal is evidenced as likely to be from Sedgley District Centre, at -7.1 %, particularly from the Asda store located there. However, on this point, the impact on the total turnover of this centre (as well as the other centres likely to be impacted upon) as a whole (convenience and comparison goods combined) will be significantly lower, and the figure of a -7.1% downturn in convenience retail trade is not considered evidence of the proposal having a significant impact on that centre. In addition, Sedgley District Centre performs relatively well in terms of vitality and viability, with the latest health-check data (2020) revealing only 4 vacant units within that centre and none of these within the protected frontage. It is therefore considered likely to be reasonably resilient to change and any diversion of trade away from it, especially on the basis of the relatively low impact levels which have been forecast.

38 Therefore, in summary on this issue, the proposed retail store, being mainly within the boundaries of Gornal Wood Local Centre, is likely to have positive economic and social benefits for that centre, whilst not having a significant impact on the vitality and viability of nearby centres. It is therefore in accordance with provisions of BCCS Policy CEN5.

Policy – Part Loss of Abbey Street Recreation Ground

39 The proposal will involve the loss of part of a Community Park (Abbey Street Recreation Ground, Gornal), as designated within DBDS Policy

S32 (Parks): the applicants have evidenced the Community Park is currently 3.44 ha and that the proposal would involve the loss of some 0.40ha (12.2%) of it, with the area lost comprising of maintained grassland and a number of trees.

- 40 DBDS Policy S32 states that the Council will protect parks from inappropriate development that would jeopardise their existing and future role, function, and setting and is committed, in consultation with the local community, to maintain and where possible, improve and upgrade them to a standard appropriate to their identified function.
- 41 As the Community Park contains sports pitches, DBDS Policy S33 (Playing Fields) is also relevant. However, on this, it is acknowledged that these pitches will be not encroached upon by the proposed development and therefore the provisions of this policy cannot be reasonably applied. Moreover, Sport England have raised no objection.
- 42 An assessment on this issue therefore needs to focus on the application of Policy S32, specifically the degree to which the loss of part of this park, as proposed, would jeopardise its existing and future role, with particular reference to:-
- para 98 of the NPPF which states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change
 - para 99 of the NPPF, which states that existing open space should not be built upon unless specified criteria can be met, including that the loss would be replaced by equivalent in terms of quantity and quality
 - BCCS Policy ENV6 (Open Space, Sport and Recreation) which states that development which would reduce the overall value of the open space, sport and recreation network will be resisted, and the criteria set out in the NPPF, and

- DBDS Policy S29 (POS) which states that development proposals which impact on POS will be assessed against the criteria which inform on the value of such areas as set out in ENV6

43 In terms of accessibility, the Dudley Open Space Review (2019) rates the Abbey Street Recreation Ground as being of lower quality/lower value and identifies alternative publicly accessible Community Park provision within a 1km (12-15 minute walking time) at Milking Bank, with that area of Public Open Space (POS) rated as higher quality/higher value.

44 Whilst that alternative Community Park is not easily accessible from Abbey Street Recreation Ground, it does indicate that the wider area is reasonably served by this form of publicly accessible POS. It should also be borne in mind that, the proposal is for the redevelopment of only part of this POS rather than the loss of all of it, which places less emphasis on the need for alternative provision to be available and the need for the development to provide commuted sum payments to substantially upgrade other nearby areas of POS.

45 It is considered that instead, the focus from the Open Space Review should be on the lower quality/lower value rating given to the Abbey Street Recreation Ground, and thereby, through the provisions of para 99 of the NPPF in particular, how the residual area of POS, amounting to 3.02 ha or 87.8% of the current area, can be substantially upgraded so that it achieves a higher quality/higher value rating.

46 The applicants have therefore offered to provide mitigation and enhancement to the recreation ground (which would be controlled through a unilateral undertaking) which includes,

- Resurfacing of the junior play area
- Green painted metal railing fencing approx. 2m high around the youth centre car park

- Resurfacing the park entrance off Abbey Street
- Welcoming boards to the park.
- 4 No. DDA compliant picnic benches
- 4 No. New Litter Bins
- Illuminated bollards along the paths from Abbey Street and behind the club, maybe 10 No. total
- CCTV with a fixed link to the library to connect with Councils monitoring system
- Pathway improvements on the former paddock area
- Badger Sett relocation and mitigation
- Construction of a direct footpath link between store car park north pedestrian entrance and Abbey Street (between Nos. 24 and 25 Abbey Street)

47 Additionally in the planning balance, the applicants have evidenced that the proposal will lead to the creation of between 30 and 50 new full time and part time jobs, which, subject to this being a requirement through the auspices of BCCS Policy EMP5 (Improving Access to the Labour Market) in the event that the proposal is determined favourably, will benefit the local community.

48 This contribution and these measures referred to above in relation to mitigation and enhancement, including evidence of a wider community benefit to the centre and locality in general, are considered adequate to outweigh and thereby compensate for the loss of part of this POS, in particular in improving the quality of this (residual) area of POS from its current low quality/low value rating.

49 In summary, given the above analysis of this issue, and subject to the contribution/measures offered by the applicants being set as a requirement, on balance, it is considered that the loss of part of this

Community Park can be justified and consequently, the proposal considered policy compliant, with particular reference to DBDS Policy S32 and para 99 of the NPPF.

Design

- 50 The application site is partly located within an Area of High Historic Townscape Value and adjoins two non-designated heritage assets, Redhill School to the east and the Zoar Methodist Church to the west. The latter is locally listed, therefore, BCCS Policy ENV2 and DBDS Policies S8, S11 and S12 are of relevance.
- 51 The site also includes five buildings for demolition which include single storey “temporary” shops dating from the interwar period and three late 19th century dwellings. Whilst these buildings are of some interest, they are not of significant or exceptional architectural interest. Moreover, these buildings are surrounded by areas of underused or derelict land which detracts from their setting. Therefore, there is no objection to their demolition.
- 52 With regard to the replacement buildings, these will be located towards the front of site facing onto Zoar Street and Abbey Road, both having active frontages facing onto the respective roads.
- 53 The main store would be single storey with a dual pitched asymmetric roof giving the building a contemporary feel. The elevation to the car park (west) would include the main entrance door and high-level clearstory windows again providing an active frontage. To the rear of

the building would be the service area. The building would be finished in brick which would reflect the materials to adjoining buildings.

54 The pharmacy building would also be of contemporary design and be finished in brick. Whilst its entrance would be to the rear, glazing has been proposed to the road facing elevation to allow for an active frontage.

55 The siting of the buildings is considered to be acceptable and provides enclosure to Zoar Street and Abbey Road which is an important part of the character of Lower Gornal where development generally faces onto the highway. The use of facing brick is considered to complement the adjoining traditional buildings such as the school and Methodist church. The slight set back on both buildings would provide for a planting area.

56 The overall design, scale and appearance of both buildings are considered to be acceptable in context and would have no adverse impact on the adjoining non-designated heritage assets or the setting of the Area of High Historic Townscape Value.

Neighbour Amenity

57 The site is proximate to other nearby uses, including residential properties to the north. In terms of physical impact, the buildings within the site are considered to be sufficiently distant such as to not have any direct impact upon privacy, light or outlook. There are no concerns in relation to the school or the adjoining church and it should be noted that

the former caretakers house to the school is no longer used for residential purposes.

- 58 Concerns have been raised regarding potential noise and disturbance arising from the loading area and proposed plant which are located at the rear of the building and the impact that operation of these facilities could have on the amenity of neighbours to the rear. Additionally, some concerns have been raised about cars manoeuvring within the car park.
- 59 To overcome these concerns the Environmental Health Officer is proposing conditions limiting the hours of deliveries to the site from 0700 to 2300hrs Monday to Saturdays and 0900 to 1800hrs on Sundays and bank holidays, as well as limiting the hours the store can operate to 0800 to 2200hrs Monday to Saturday, and 1000 to 1600hrs on Sundays, which should limit impact upon nearby properties.
- 60 With regard to the proposed plant, an acoustic barrier is proposed, in addition to a condition controlling the noise output, which should reduce any impact upon adjoining neighbours.
- 61 As previously noted, the levels of the site will need to be raised, particularly in the north-western corner of the site to accommodate the graded plateau required for the car park. This element raised the prospect of car headlights shining towards houses in Abbey Street to the north. In order to reduce this impact, the applicants are proposing a 1.2m high barrier indicated on plan, the delivery and retention of which can be controlled through a planning condition.

Access and Parking

- 62 The vehicular access to the site from Zoar Street has been designed with a central splitter given the high footfall due to the close proximity of the school. Off-site works associated with the store include a right turn lane and pedestrian refuge to improve connectivity with the bus station on the opposite side of the road.
- 63 The car park would have a total of 120 spaces. Ten of these spaces would serve the pharmacy specifically.
- 64 The car park would also be available for other users of the town centre as well as being available for parents/guardians to pick up and set down pupils. This is a facility the current school does not have with parents/guardians having to park on street or on other limited off-street car parking in and around the local centre. To ensure that parking is made available for the wider benefit, a similar parking management condition is proposed to that recently imposed at a retail development site in Sedgley.
- 65 The amount of parking for the development has been assessed as part of the submitted Transport Statement and is considered to be adequate, and is comparable with similar sized discount stores which have been permissioned elsewhere in the borough.
- 66 With regard to traffic generation the Transport Statement concludes that that the proposed development has been the subject of a traffic impact scenario (based on assessment of similar stores) which demonstrates

that traffic effects are capable of being accommodated on the local highway network.

- 67 Tracking plans have been submitted with the application which demonstrates that delivery vehicles can enter and leave the site in forward gear. Again, it is considered appropriate as with application at Sedgley that a management plan is in place.
- 68 Concerns raised during the processing of the application in relation to secure by design considerations related to the footway running along the north-western part of the site. Concerns here related to forward visibility around the corners have been overcome by reprofiling the bank to afford better forward visibility and surveillance.
- 69 As the application site includes a small section of highway which will need to be stopped up, an additional recommendation is attached to the end of this report, together with the need to submit a stopping up plan.

Nature Conservation

- 70 The application was submitted with a nature conservation assessment in mid-2021 which included a section on badgers which are protected under the Protection of Badger Act 1992. In the autumn of 2021, the Council's rangers noticed the presence of potential Badger setts within part of the application site. As such the applicants were asked to revisit the nature conservation assessment from a Badger perspective. The updated survey found additional evidence of Badgers being present, however, offered no solution in relation to on or off-site mitigation. A

further report produced in February 2023 provided two mitigation options of an artificial sett within either the main part of the recreation ground, or in the area between the proposed store car park and the former depot. However, these options were independently assessed by the Birmingham and Black Country Wildlife Trust which considered the two solutions to be unsuitable and unlikely to receive a Natural England License which is required for the closure of badger setts.

- 71 Therefore, a further solution has been found to provide an artificial Badger sett on Council owned land to the north, around 250m away from the application site. This area is currently scrubland, is not mown and has a nature conservation designation. This means the mitigation/relocation can be provided without eroding any further land within the main area of the recreation ground as well as providing the required space. It is proposed to control the delivery and maintenance of the artificial sett through a unilateral undertaking.

Trees

- 72 The proposal will involve the removal of trees to facilitate the proposed development. This includes trees within the existing recreation ground and adjoining land associated with the pharmacy. In relation to the recreation ground, the majority of these trees have been identified within the submitted tree survey as category C or U types and as such have low amenity value. Therefore, their removal can be more easily be agreed.

73 Some B category trees will need to be removed or may impacted upon by the development, however, this has to be balanced against the regeneration benefits previously referred to. Therefore, it is considered that suitable replacement trees to the north and north- west of the site can be secured by condition.

Flood Risk

74 Due to the scale of the proposed development and in accordance with the NPPF, the BCCS (Policy ENV5) and DBDS (Policy S5), the application has been supported by a Flood Risk Assessment and Drainage Strategy. The LLFA are satisfied that there are no flood risk concerns and that matters relating to sustainable drainage and its future management can be satisfactorily conditioned.

Geotechnical

75 No significant concerns have been raised by the Land Contamination Team in relation to the proposed application who are happy for matters relating to land contamination and soil gases to be conditioned.

76 In relation to coal mining, the Coal Authority notes the vicinity of two possible entries close to the site and the presence of shallow mining and coal seams affecting the site. However, they are satisfied those matters relating to coal mining can be conditioned.

Planning Obligations

- 77 Black Country Core Strategy (BCCS) Policy DEL1 'Infrastructure Provision' sets out the adopted policy framework for Planning Obligations within Dudley and the Planning Obligations SPD provides further detail on the implementation of this policy; these policy documents were prepared in accordance with national legislation and guidance on planning obligations.
- 78 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.
- 79 In determining the required planning obligations on this specific application the following three tests as set out in the Community Infrastructure Levy (CIL) Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development;
 - c) fairly and reasonably related in scale and kind to the development.
- 80 Following consideration of the above tests the following planning obligations are required for this application:
- Provision of Junior play area

- Green painted metal railing fencing approx. 2m high around the youth centre car park
- Resurfacing the park entrance off Abbey Street
- Welcome boards to the park.
- 4 No. DDA compliant picnic benches
- 4 No. New Litter Bins
- Illuminated bollards along the paths from Abbey Street and behind the club, maybe 10 No. total
- CCTV with fixed link to library to connect to the Councils monitoring system
- Pathway improvements on the former paddock area
- Badger Sett relocation and mitigation
- Construction of a direct footpath link between store car park north pedestrian entrance and Abbey Street (between Nos. 24 and 25 Abbey Street)

81 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.

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

83 The applicant has agreed to the provision of these offsite planning obligations at the date of agenda preparation.

Financial Material Considerations

- 84 Section (124) of the Localism Act states that: Local planning authorities are to have regard to material considerations in dealing with applications including any local finance considerations, so far as material to the application. A 'local finance consideration' may be taken to cover the payment of New Homes Bonus, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).
- 85 The section does not change the law in any way. It is not a new basis for planning policy and it remains unlawful for planning permissions to be 'bought'.
- 86 The proposal is liable for CIL at a rate of £112.39 per square metre. Based on a CIL Liable floor space the CIL Charge is calculated at £88,343.04. This on the assumption of the buildings to be demolished have been occupied in the previous three years.
- 87 This money could be earmarked to be spent on improving the strategic infrastructure which is set out on the Regulation 123 list of infrastructure.
- 88 Whilst these are significant sum(s) of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

Other Matters

- 89 Matters have been raised in relation to a covenant attached to the park limiting its use for recreation purposes, as well as the site being used for one of the millennium projects in relation to tree planting. Whilst these may raise issues in relation to whether any resulting permission can be implemented, these matters do not preclude the granting of planning permission should the proposal be acceptable in planning terms.
- 90 Additionally it is known that the park is subject to Fields in Trust Agreement. However, it is understood that the area proposed for development is outside of this area.

CONCLUSION

- 91 The proposed development is acceptable in principle in that part of the site is located within a local centre and that adequate mitigation has been provided in relation to the partial loss of the park as well as considering the regeneration benefits for the local centre. The development provides sufficient parking and servicing and servicing to serve the proposed development. Additionally, the proposed development would have no direct impact on residential amenity in terms of physical impacts and matters such as plant and service and store opening can be controlled through condition. Additionally, the proposed development is of adequate design and the appropriate relocation of protected species has considered in the public interest. Consideration has been given to policies within the Black Country Core Strategy (2013); and the Dudley Borough Development Strategy (2017).

RECOMMENDATION

It is recommended that the application be APPROVED subject to:

- 1) The applicant entering into a unilateral undertaking in relation to providing the requirements outlined at Para. 80 above.
- 2) The following conditions, with delegated powers to the Head of Planning to make amendments to these as necessary
- 3) That the developer be invited to make an application for an Order to the Secretary of State for the stopping up and provision of new highway based on plan 14079-SK2301112.1-A under S247 of the Town and Country Planning Act 1990 to allow development authorised by planning permission to take place. The costs associated with the Order shall be at the developer's expense.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed Site Plan Y11a47 - P003 Rev L
Site Sections Y11a47 - P300 Rev F
Acoustic Timber Fence - Ad5305
Delivery Entrance 02 Drg no.Y11A47-ENT-02E
Delivery Entrance 01 Drg no.Y11A47-ENT-01E
Delivery Exit 01 Drg no.Y11A47-EXIT-01E

Delivery Exit 02 Drg no.Y11A47-EXIT-02E
Proposed Elevations - Retail Store Drg no.Y11A47-P201A
Proposed Floor Plan - Retail Store Drg no.Y11A47-P200A
Colour Elevations - Retail Store Drg no.Y11A47-P202A
PHARMACY PLAN & ELEVATIONS Y11A47 - P400 Rev A
Timber Knee Rail Drg no.AD5301 Rev A
Proposed Colour Elevations Drg no.Y11A47-P202
Paladin Fence Details Drg no.AD5304 Rev A
Bow Top Fencing Details Drg no.AD5302 Rev A
SITE LOCATION PLAN Y11A47 - P001 Rev D
EXISTING SITE PLAN Y11A47 - P002 Rev D
Highways stopping up and overlay plan 14079-SK2301112.1-A
unless otherwise required by conditions attached to this permission.
REASON: For the avoidance of doubt and in the interests of proper
planning.

3. No development shall commence until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.
4. Where the approved risk assessment (required by condition 3 above) identifies contamination posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such contamination has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.
5. Following implementation and completion of the approved remediation scheme (required by condition 4 above) and prior to the first occupation of the development, a verification report shall be

submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

REASON: To ensure that the risks associated with any contamination have been reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land and the NPPF.

6. No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.

REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.

7. Where the approved risk assessment (required by condition 6 above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.

8. Following implementation and completion of the approved remediation scheme (required by condition 7 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

REASON: To ensure that the risks associated with any ground gases or vapours have been reduced to acceptable levels and that the

health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land and the NPPF.

9. No development shall commence until;
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

REASON: In the interests of public safety and to comply with BCCS Policy D4

10. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

REASON: In the interests of public safety and to comply with BCCS Policy D4

11. The development hereby permitted should not commence (excluding demolition) until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution and to comply with BCCS Policy ENV5 (STWA Drainage condition)

12. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Those details shall include:

- A timetable for its implementation, and
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime of the development.

None of the development shall be occupied until surface water drainage works have been implemented in accordance with the approved details.

REASON: In the interests of sustainability, reducing flood risk and run off and to comply with Adopted BCCS Policy ENV5 - Flood Risk, Sustainable Drainage Systems and Urban Heat Island (LLFA Drainage condition).

13. No deliveries or despatches shall be made to or from the site, and no delivery or despatch vehicles shall enter or leave the site (whether laden or unladen), before the hours of 06.30 nor after 23:00 Monday to Saturday, and before the hours of 09:00 hours nor after 18:00 hours on Sundays.

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5.

14. The premises shall not be open to the public before the hours of 08:00 nor after 22:00 Monday to Saturday, and before the hours of 10:00 nor after 16:00 on Sundays

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5.

15. The rating level of sound emitted from any fixed plant associated with the development, and loading and unloading operations associated with the approved development shall not exceed background sound levels by more than 5dB(A) between the hours of 0700-2300 at any sound sensitive premises, and shall not exceed the background sound level between 2300-0700 at any sound sensitive premises. All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5.

16. The development hereby approved shall not be first used until the acoustic barrier to the external plant area has been provided in accordance with the approved details. The barrier shall thereafter be retained for the life of the development.

REASON: To protect the amenities of nearby residents and comply with DBDS Policy D5

17. No above ground development shall commence until details of electric vehicle charging bays with a vehicle charging point, to be provided in accordance with the Council's standard (Parking Standards SPD) have been submitted and approved in writing by the Local Planning Authority. Such details shall include signs and bay markings indicating that bays will be used for parking of electric vehicles only whilst being charged. Prior to first occupation, the electric charging points and bays shall be installed in accordance with the approved details and shall thereafter be maintained for the life of the development.

REASON: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies ENV8 (Air Quality) and DEL1 (Infrastructure Provision) of the Black Country Core Strategy.

18. No development shall commence (excluding demolition, site clearance and initial ground works) until full details of the soft landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following first occupation of the development. The details shall include design and specification for the tree planting pits, for the trees within the site. Any trees or shrubs planted in pursuance of this permission including any planting in replacement for which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to make a positive contribution to place-making and provide a high quality landscaping in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 - Urban Design and Policy L1 Housing Development, extensions and

alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part). This detail is required pre commencement (excluding demolition, site clearance and initial ground works) as landscaping is integral to providing a high quality and sustainable development.

19. The development shall not be first occupied until details of the future management and maintenance of the landscaped areas and trees have been submitted to and approved in writing by the Local Planning Authority. The open space areas shall thereafter be maintained and managed in accordance with the approved details for the life of the development.

REASON: In order to make a positive contribution to place-making and provide a high quality open space is properly maintained in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and LR1 - Open Space

20. The car park shall be finished in a permeable or porous surfacing which shall be retained for the life of the development.

REASON: In the interests of sustainable drainage and the long term wellbeing of the trees within the site and comply with BCCS Policy ENV5 and DBDS Policy S22.

21. The development shall not be occupied/used until the staff and visitor cycle storage has been provided in accordance plans and shall thereafter be retained and maintained for no other purpose for the life of the development.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings
Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

22. Prior to first occupation all redundant dropped kerbs should be replaced with matching full height kerbs and the adjacent Highway made good.

REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings
Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

23. The development shall not be used until details of the management of the car park (including time limits, time for re-entry to the car park, details of any cameras etc) have been submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter be managed in accordance with the approved details. REASON: To ensure the car park is available for shoppers using the rest of the town centre and parents and guardians picking up and setting children for the adjoining schools and to comply with BCCS Policy TRAN2.
24. The development shall not be occupied until details of the access(es) into the site, together with parking and turning area(s) [including details of lines, widths, levels, gradients, cross sections, drainage and lighting] have been submitted to and approved in writing by the Local Planning Authority. No occupation will take place until the access(es) into the site, together with parking and turning area(s) within the site have been laid out in accordance with the approved details. These area(s) shall thereafter be retained and not be used for any other purpose for the life of the development REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.
25. The development hereby approved shall not be first occupied until the fence along the western and north western edge of the car park has been provided in accordance with the approved plans. The fence shall thereafter be retained and maintained for the life of the development. REASON: To prevent vehicular headlights shining into the dwellings to Abbey Street and to comply with DBDS Policies D2 and D6.
26. The development shall not be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority, including details of a Travel Plan Co-ordinator, Staff Travel Survey, Car Parking Management, Public Transport, Walking and Cycling initiatives, Publicity and Marketing, Set targets and monitoring and to join Company Travel Wise in Dudley together with a timetable for the implementation of each such element. The Travel Plan shall be implemented in accordance with the details approved by the local planning authority and remain operational for the life of the development. REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy

L1 Housing Development, extensions and alterations to existing dwellings

Policy D2 Incompatible Land Uses (in part)

and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

27. The development shall be constructed in accordance facing materials shown on the approved plans unless otherwise agreed in writing by the local planning authority,

REASON: To ensure the satisfactory appearance of the development and to comply with BCCS Policy ENV2.

28. The demotion and construction of the development shall proceeded in complete in accordance with Section 7 of Air Quality Assessment report by BWB report reference MCP2326.

REASON: In the interest of amenity and air quality and to comply with Policy ENV8 of the BCCS.

29. Notwithstanding the details submitted with the application no development shall commence (excluding demolition, site clearance and initial ground works) until details of nature conservation enhancement and mitigation works have been submitted to and approved in writing by the Local Planning Authority. The nature conservation enhancement and mitigation works 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.

REASON: In order to enhance, encourage and protect the nature conservation value of the site and in accordance with BCCS Policies ENV1 - Nature Conservation, CSP3 Environmental Infrastructure and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S21 Nature Conservation Enhancement, Mitigation and Compensation

Policy S20 The Borough's Geology (in part)

Policy S1 Presumption in favour of Sustainable Development (in part) and

Policy S21 Nature Conservation Enhancement, Mitigation and Compensation (in part)

Policy S19 Dudley Borough's Green Network (in part)

Black Country Core Strategy Policy ENV1 Nature Conservation (in part)

This detail is required pre commencement (excluding demolition, site

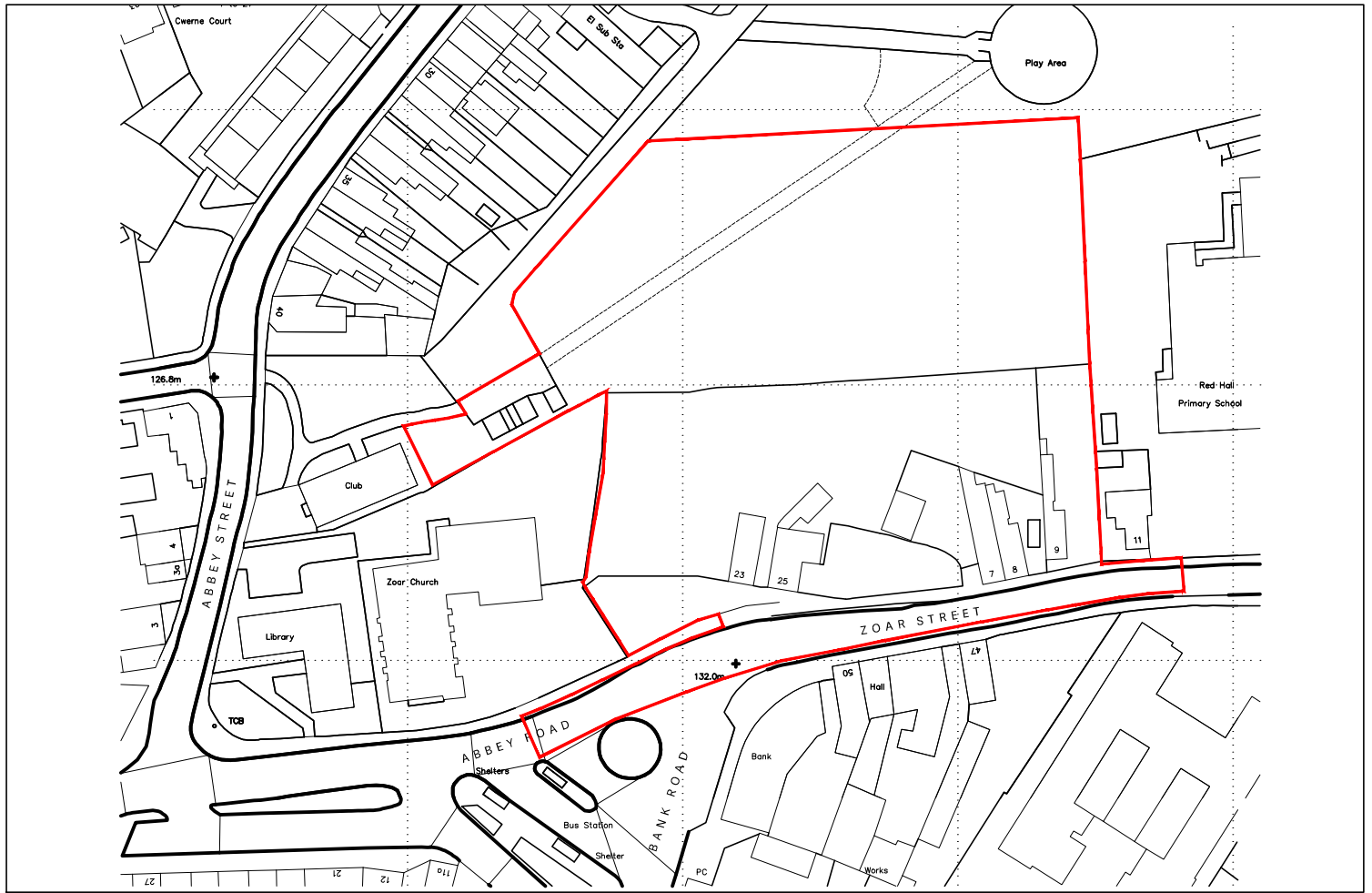
clearance and initial ground works) in that the required works may need to be incorporated into buildings on the site.

30. No development shall commence (excluding demolition of 23 and 25 Abbey Road and 7, 8 and 9 Zoar Street)) until a badger licence is obtained from Natural England which shows the replacement sett to be installed prior to closure of the existing sett. All development shall be undertaken in strict accordance with the mitigation agreed with Natural England under the approved badger licence. No development shall commence which would affect development affecting badgers until a copy of the agreed badger licence will be provided to the LPA

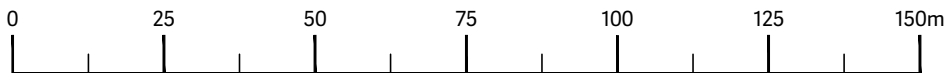
REASON: To ensure an adequate replacement facility is provided and to comply with DBDS Policy S21.

31. The servicing, delivery and despatch of goods to/from the store shall be carried out in complete accordance with the approved Delivery Management Plan V1 received May 2023 for the life of the development.

REASON To protect amenity and comply with DBDS Policy D5.



SITE AREA	-----	7865 sq m	1.9 acres
APPLICATION RED LINE BOUNDARY AREA	—————		



Scale 1:1250

STOAS Architects Ltd
PLANNING

D	Application red line boundary updated	28-10-2022	SPK	SB
C	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
B	Do not scale removed from sheet	09-07-2021	SPK	SB
A	Application Red line Boundary added and annotated.	05-02-2021	SPK	SB
Revision	Description	Date	Drawn	Checked

CLIENT **ALDI STORES LIMITED**

PROJECT **ZOAR STREET,
LOWER GORNAL DY3 2PA**

TITLE **SITE LOCATION PLAN**



STOAS
ARCHITECTS

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1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 860

SCALE **1:1250 @ A4** DRAWN **SPK**

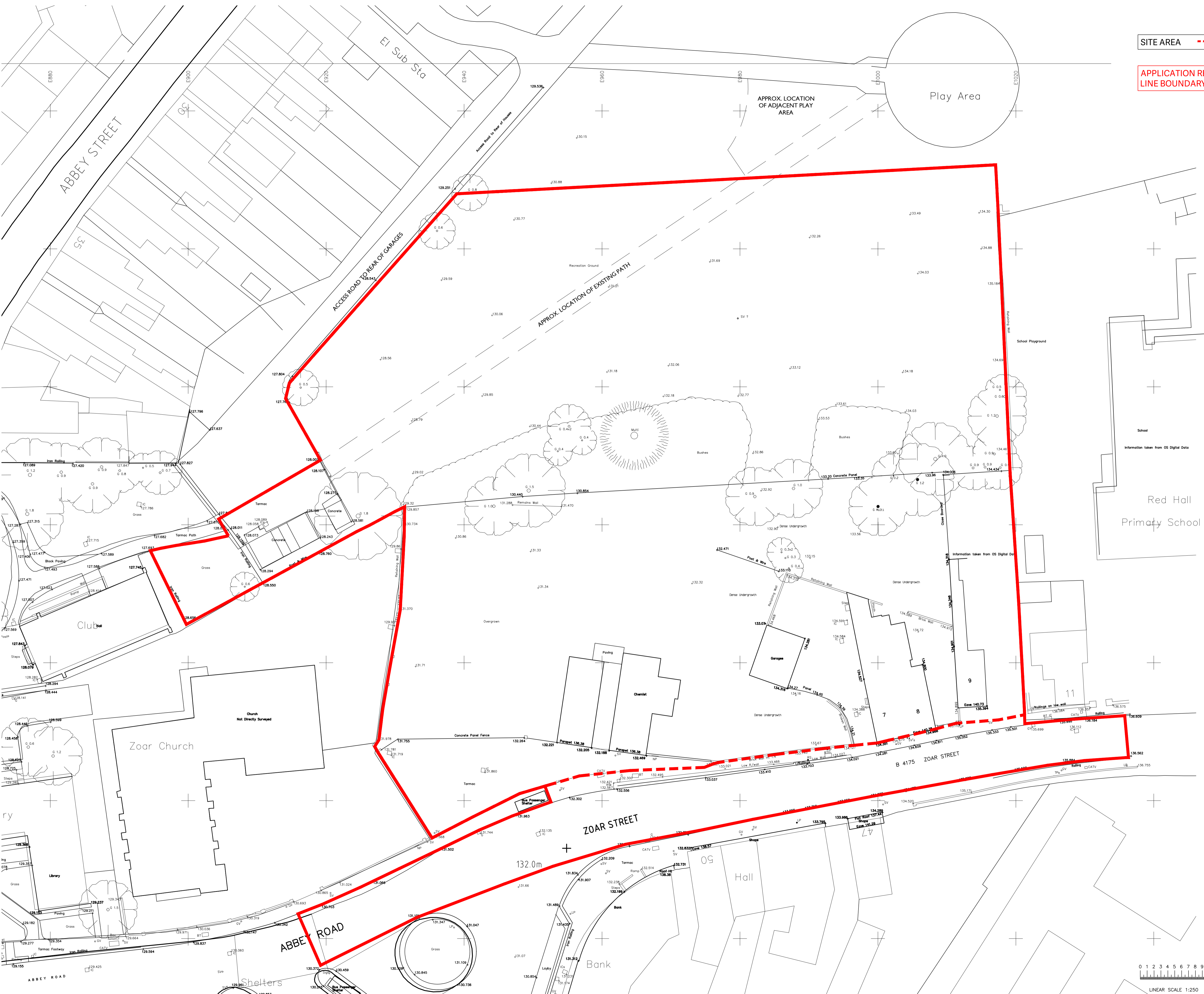
DATE **APRIL 2020** CHECKED **SB**

NORTH DWG No. REV

Y11A47 - P001 **D**

SITE AREA 7865 sq m 1.9 acres

APPLICATION RED LINE BOUNDARY AREA



Revision	Description	Date	Drawn	Checked
D	Red line application boundary updated.	28-10-2022	SPK	SB
C	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
B	Do not scale removed from sheet	09-07-2021	SPK	SB
A	Application Red line Boundary added and annotated. Scale revised to 1:250	05-02-2021	SPK	SB

STOAS Architects Limited
PLANNING ISSUE



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CLIENT **ALDI STORES LIMITED**

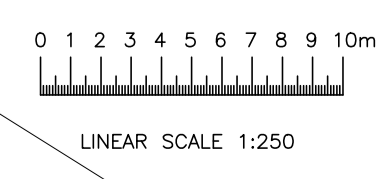
PROJECT **ZOAR STREET, LOWER GORNAL, DUDLEY**

TITLE **EXISTING SITE PLAN**

DATE **27-01-2020** SCALE **1:250 @ A1**

DRAWN **SPK** CHECKED **SB**

DWG No. **Y11A47 - P002** REVISION **D**



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ACCESS ARRANGEMENTS

This statement relates to the access arrangements for the Aldi Food Retail Store and details the arrangements for all modes of transport to and from the store. It also includes details of how level access arrangements are achieved and how the entrance to the store operates. This statement is to be read in conjunction with the separate Design and Access Statement.

There are a total of 110 no. proposed car parking spaces including 6 no. Accessible parking spaces, 6 no. Parent and Child parking spaces, 4 no. Electric Vehicle charging spaces and 4 no. cycle hoops (8 no. cycles capacity under illuminated shopfront canopy).

Between the entrance tarmac finish and the tarmac car park is a flush kerb. The store access is via a set of automatic sliding opening entrance doors with a clear opening of 1100 mm and glazing manifestation giving full access to all customers and staff. The junction between the retail store finished floor level and the external floor is a flush transition detail.

The general car parking is laid out to a gradient of no more than 1:40 (1:60 across accessible bays) which prevents any loss of loaded trolleys and also allows for easy access to the store frontage from any area within the car park.

For cyclists there are unobstructed covered cycle stands provided close to the shopfront.

Pedestrian access is provided from Zoar Street via footpaths separated from the car parking areas.

LEGEND

- RK EDGING KERB
- EK FLUSH KERB
- BNK BULLNOSE KERB
- DK DROP KERB
- TK TRANSITION KERB
- TRK TRIEF (SAFETY KERB) KERB
- TTK TRIEF (SAFETY KERB) TRANSITION KERB
- DC DRAINAGE CHANNEL
- G NEW STORM WATER DRAINAGE GULLY
- TL MARSHALLS CONSERVATION PAVING 450x450x50mm
- TP TACTILE PAVING
- BC BRUSHED CONCRETE
- T TARMAC
- SSB STAINLESS STEEL BOLLARD
- HDB HEAVY DUTY BOLLARD
- TB TELESCOPIC BOLLARDS AT SITE ENTRANCE

SINGLE LIGHT LIGHTING COLUMN
 DOUBLE LIGHT LIGHTING COLUMN
 EXISTING TREE
 NEW TREE
 LOW LEVEL LANDSCAPING
 PROPOSED LEVEL
 EXISTING LEVEL

ALDI CONCEPT 2 - MODIFIED

GROSS EXTERNAL AREA (GEA)	1844 sq m	19,849 sq ft
GROSS INTERNAL AREA (GIA)	1786 sq m	19,224 sq ft
RETAIL AREA	1315 sq m	14,154 sq ft
WELFARE AREA (including Plantroom)	121 sq m	1,302 sq ft
WAREHOUSE (including Loading Bay and Freezers)	341 sq m	3,670 sq ft

PHARMACY

GROSS INTERNAL AREA (GIA)	186 sq m	2,002 sq ft
GROSS EXTERNAL AREA (GEA)	203 sq m	2,185 sq ft

SITE AREA - - - - - 8208sq m 2.03 acres

ALDI CAR PARK SPACES (2.5m x 5.0m) including Disabled, Parent & Child, and Electric Vehicle Charging Points. 110No

PHARMACY CAR PARK SPACES 10No

APPLICATION RED LINE BOUNDARY AREA 9232 sq m 2.28 acres

Revision	Description	Date	Drawn	Checked
L	Acoustic Timber fence repositioned and extended around external plant adjacent to park	23-11-2022	SPK	SB
K	Close boarded timber fence added to car park boundary with pedestrian link	28-10-2022	SPK	SB
J	New footpath at north of site to connect two park access footpaths. Acoustic fence added north of Plant Compound. External Plant updated to latest layout. Retaining wall/raised kerbs to sides of Loading Bay omitted and replaced with Safety Kerbing. Raised kerbs omitted from rear of Accessible and Parent/Child parking bays and flush kerbs and bollards provided in lieu. Underfloor heating manifold moved inside. Paving to fire escape route to rear of store minimised, with remainder of surfacing to rear of store now in gravel. Central pedestrian route revised to bullnosed kerbing with coloured tarmac surfacing. Cribblok wall to western boundary omitted - levels and car park layout revised to allow provision of timber sleeper wall in lieu. Extent of red line to west of site increased. Street lamp at site entrance moved to central parking bays.	12-08-2022	phlw	SB
H	Footpath to front of store, adjacent to Zoar Street increased to 3m wide	20-09-2021	SPK	SB
G	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
F	Do not scale removed from sheet	09-07-2021	SPK	SB
E	Application Red line Boundary added and annotated. Scale revised to 1:250	05-02-2021	SPK	SB
D	Electric vehicle charging points and additional notes added	25-01-2021	SPK	SB
C	Central pedestrian link to park added, car park revised to suit. Retaining wall revised adjacent to link to park.	03-12-2020	SPK	SB
B	Existing Play area indicated	15-06-2020	SPK	SB
A	Car spaces reduced to 114	28.05.2020	MS	SB



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 1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 5NL - TEL 01246 389 800

CLIENT **ALDI STORES LIMITED**

PROJECT **ZOAR STREET, LOWER GORNAL, DUDLEY**

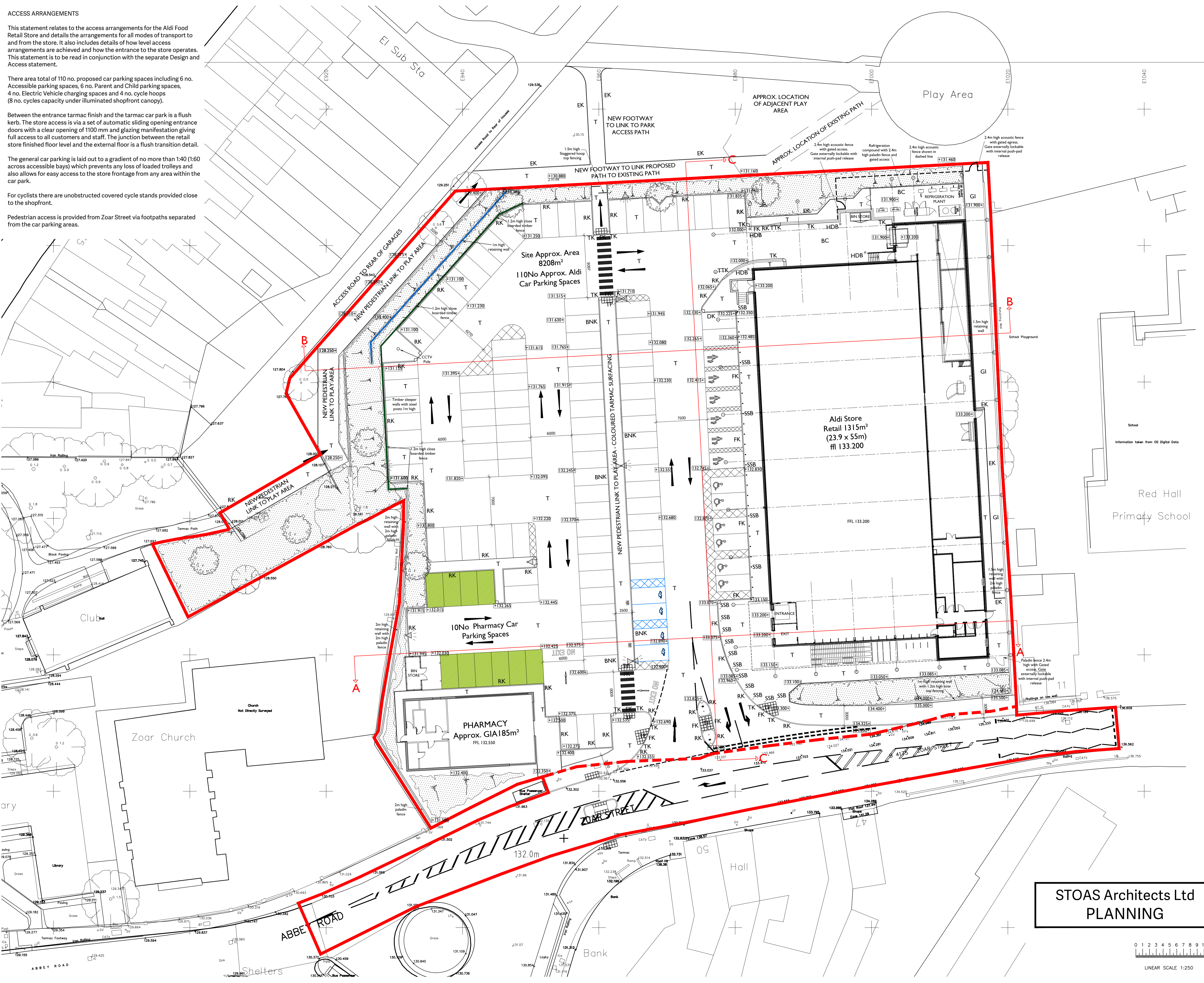
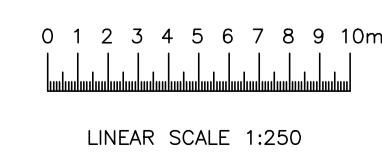
TITLE **PROPOSED SITE PLAN**

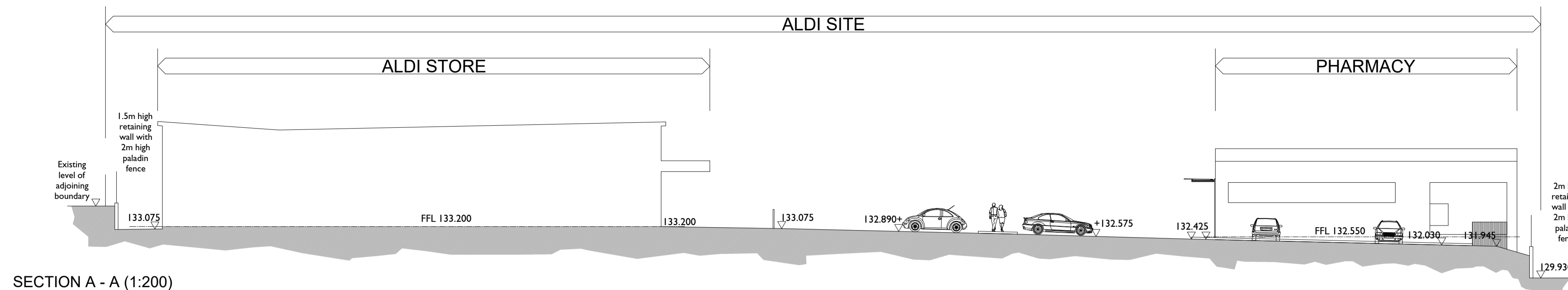
DATE **30-04-2020** SCALE **1:250 @ A1**

DRAWN **SPK** CHECKED **SB**

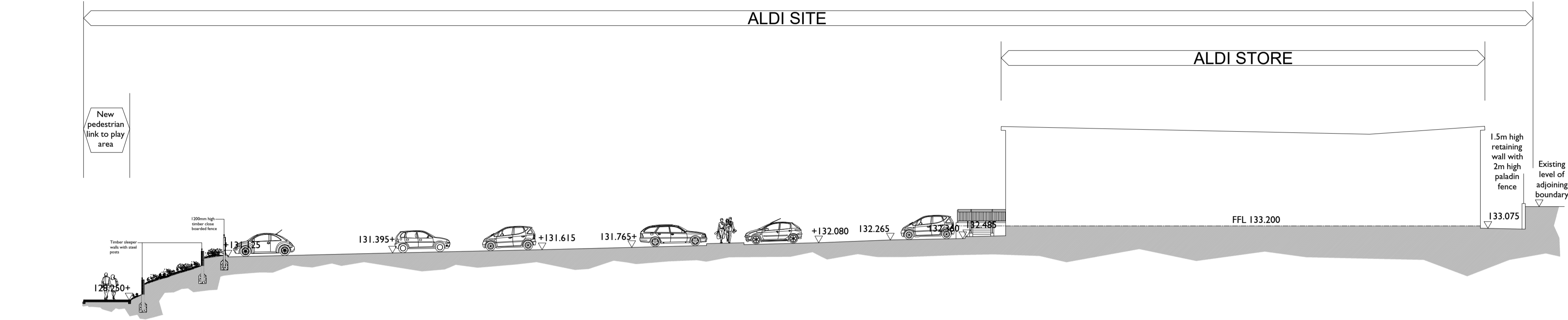
DWG No. **Y11A47 - P003** REVISION **L**

STOAS Architects Ltd
PLANNING

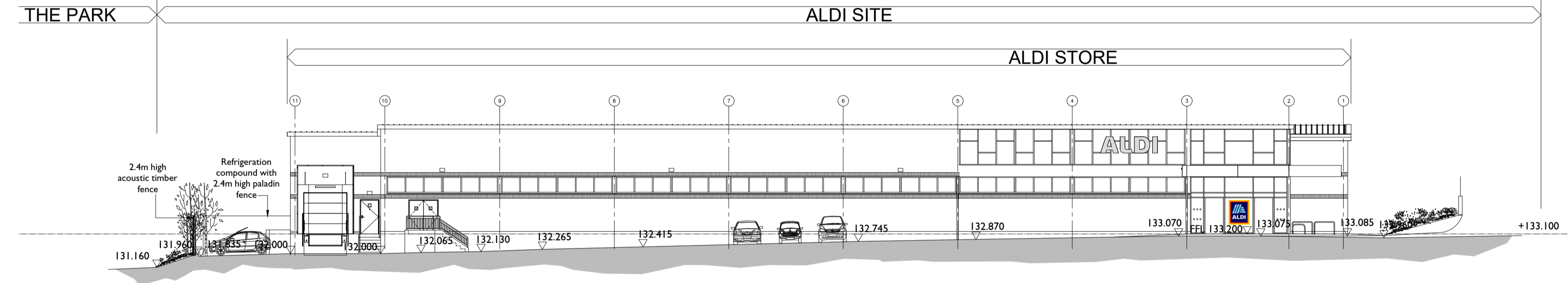




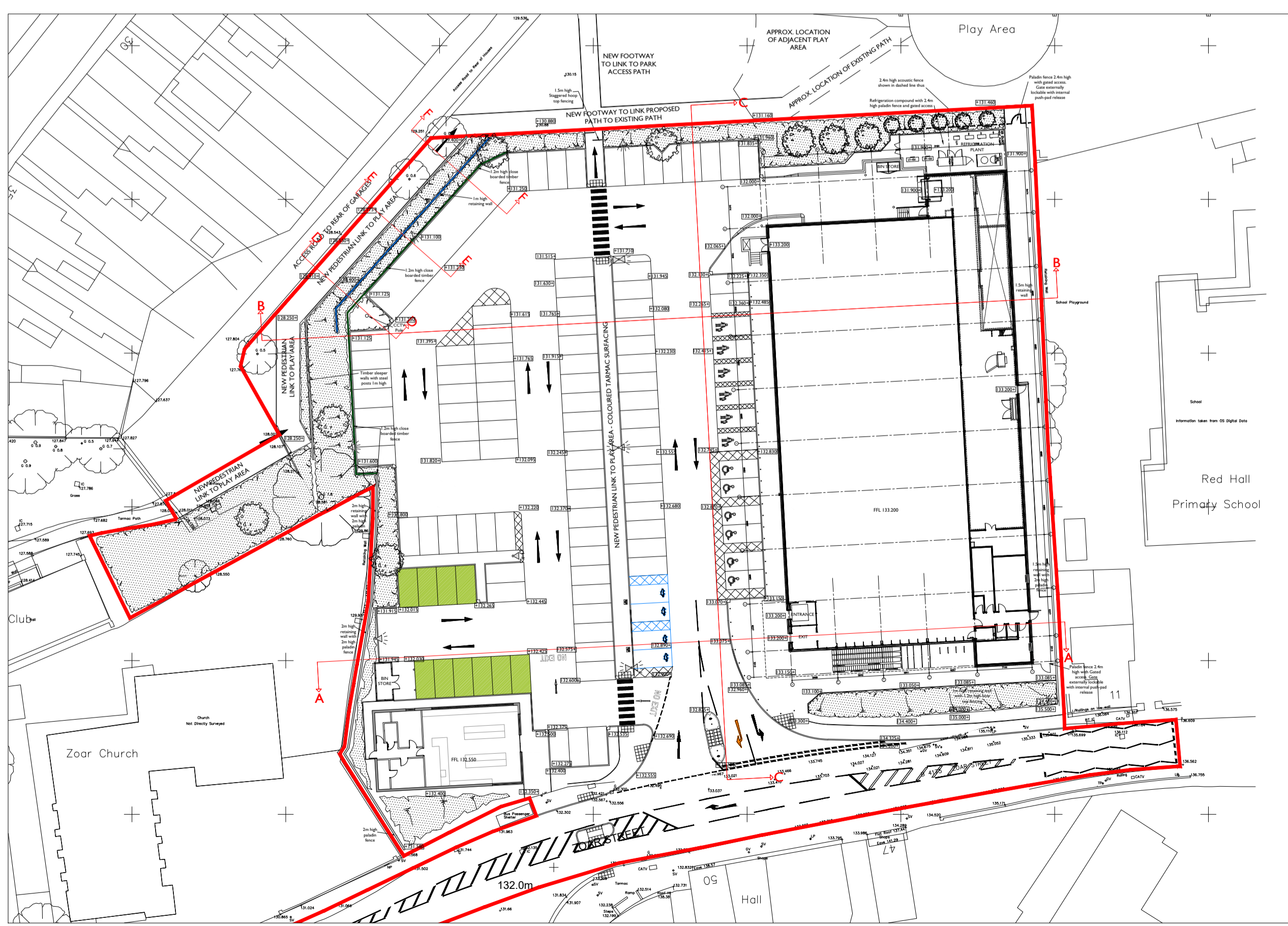
SECTION A - A (1:200)



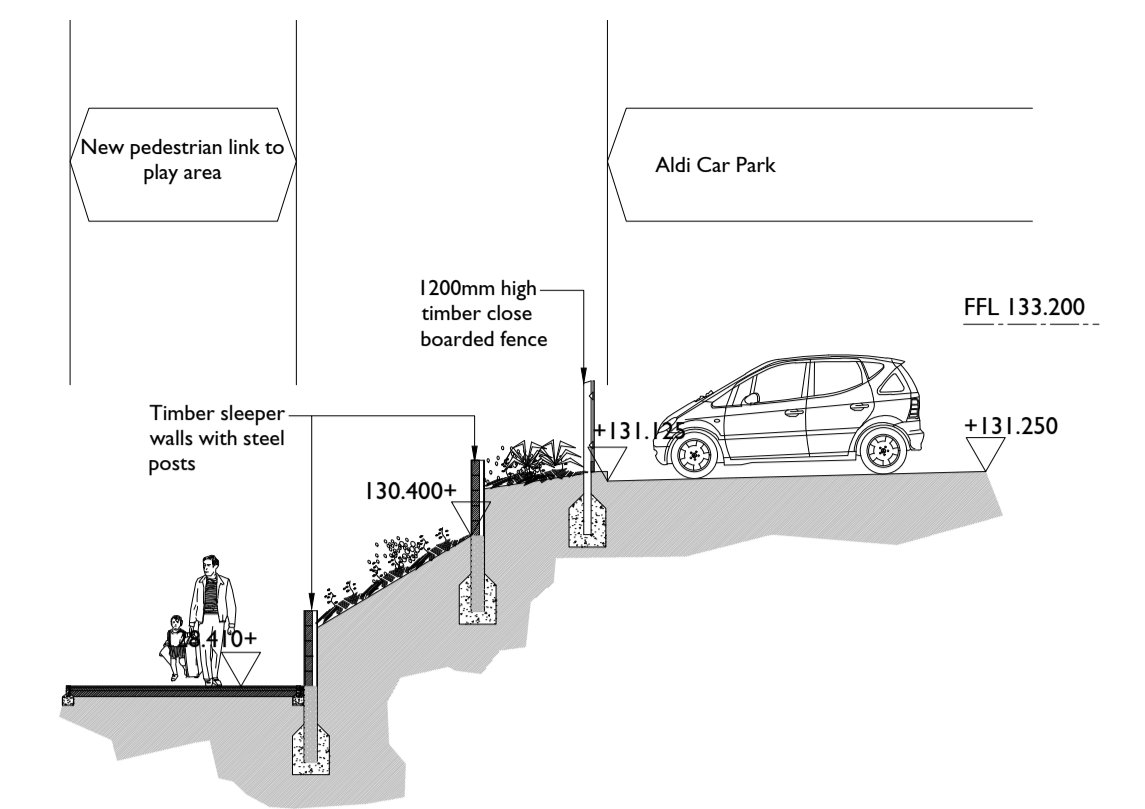
SECTION B - B (1:200)



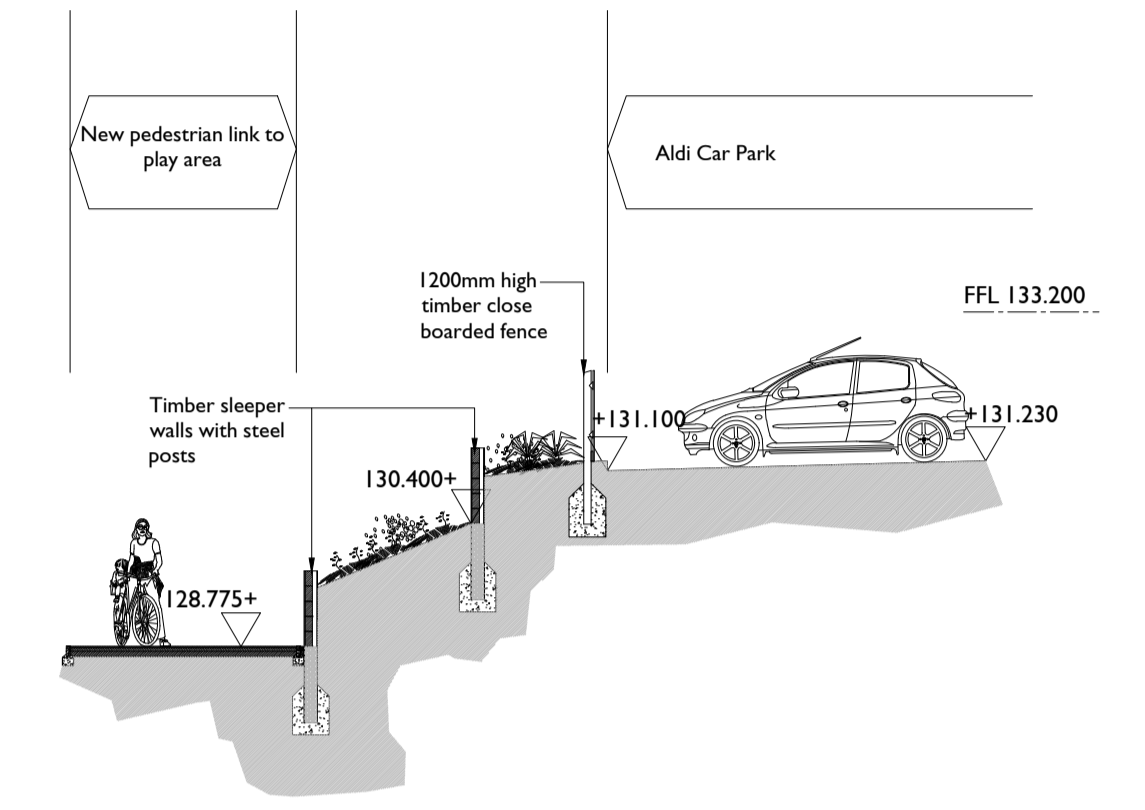
SECTION C - C (1:200)



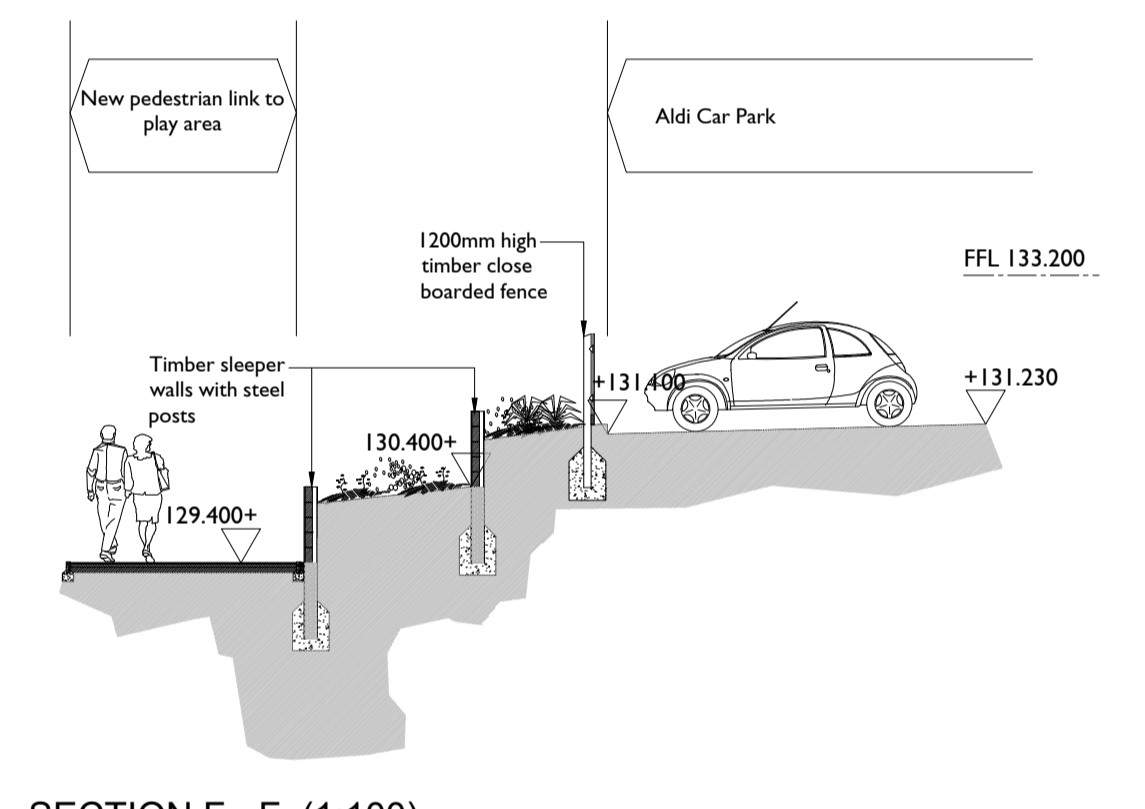
SITE PLAN 1:500



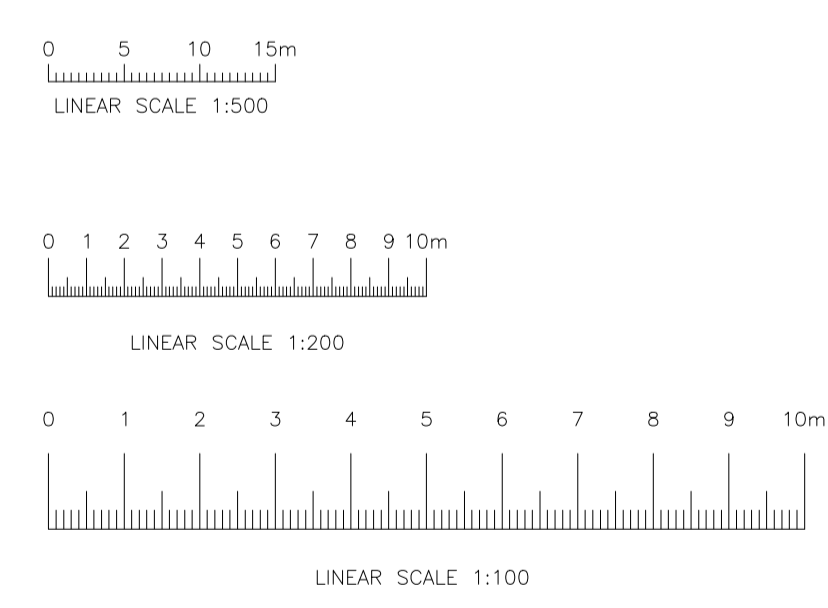
SECTION D - D (1:100)



SECTION E - E (1:100)



SECTION F - F (1:100)



Revision	Description	Date	Drawn	Checked
F	Close boarded timber fence added to car park boundary with pedestrian link, acoustic fence adjacent to plant added.	28-10-2022	SPK	SB
E	Site plan revised, adjacent path / bank adjusted	07-09-2022	SPK	SB
D	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
C	Do not scale removed from sheet. Scale bars added	09-07-2021	SPK	SB
B	Site Plan updated	25-01-2021	SPK	SB
A	Levels and retaining wall details revised	07-12-2020	SPK	SB

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PLANNING ISSUE



THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 9NL - TEL 01246 389 869

CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET, LOWER GORNAL, DUDLEY

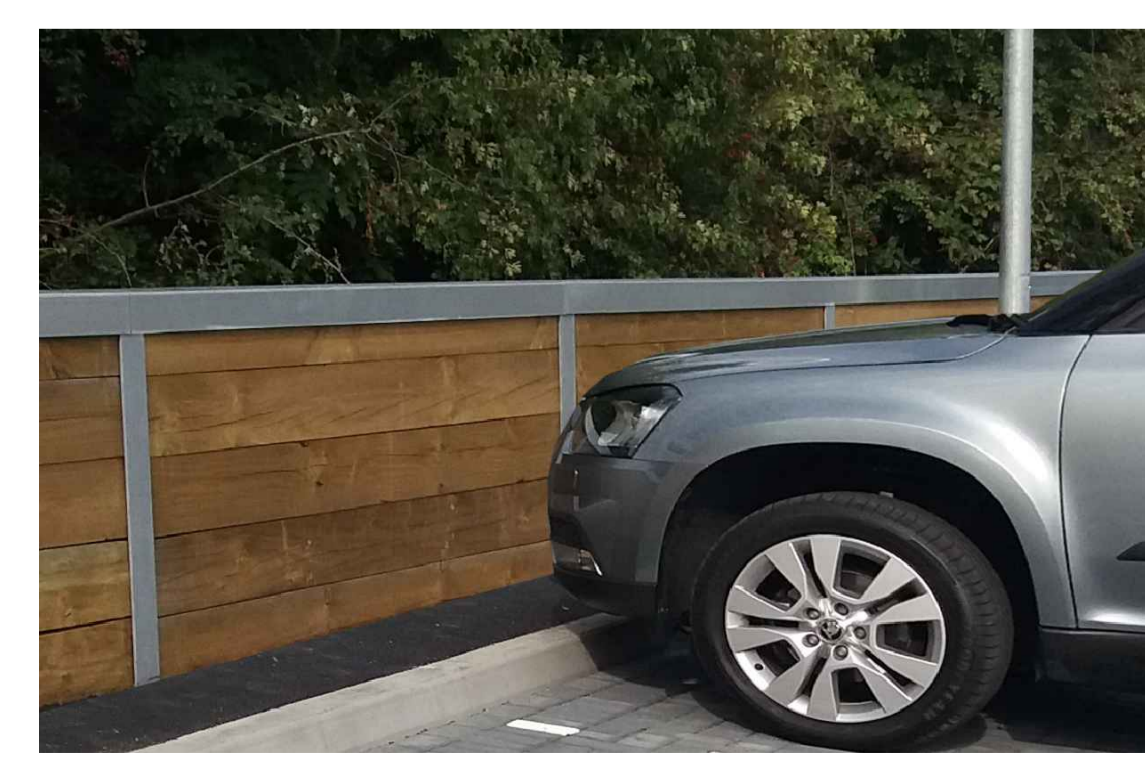
TITLE SITE SECTIONS

DATE May 2020 SCALE AS SHOWN @ A1

DRAWN SPK CHECKED SB

NORTH

DWG No. Y11A47 - P300 REVISION F



TIMBER SLEEPER WALL WITH STEEL POSTS - TYPICAL IMAGES

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SHOPFRONT ELEVATION FACING ZOAR STREET

EXTERNAL FINISHES

- 1 Walls - Blockleys smooth 'Hadley Red'. (Red Brick)
Standard coloured mortar
Blockleys Smooth Black' with Tarmac Y14 (black) coloured mortar brickwork below DPC and Feature Soldier courses above and below ribbon windows and around building.
- 2 N/A
- 3 Canopy fascia - powder coated aluminium sheeting, colour Anthracite Grey (RAL 7016). (joints to match half grid spacing on entrance elevation and shopfront elevations)
- 4 Windows - polyester powder coated aluminium (RAL 7016).
- 5 Sectional Overhead Door - PVF coated steel (RAL 7016).
- 6 Steel Escape Doors - Polyester Powder coated colour Grey (RAL 7016) (Frame colour RAL 7016).
- 7 Shopfronts - Polyester powder coated aluminium (RAL 7016).
- 8 Entrance - Polyester powder coated aluminium (RAL 7016).
- 9 Handrails - Galvanised tubular steel.
- 10 Trolley Bay rails - Satin finish stainless steel.
- 11 Roof trim Colour RAL 7016 (Anthracite).



ENTRANCE ELEVATION FACING CAR PARK



Blockleys smooth 'Hadley Red'. (Red Brick)



Blockleys Smooth Black' with Tarmac Y14 (black) coloured mortar



Rev A Do not scale removed from sheet 12-07-2021 SPK

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ARCHITECTS



CLIENT ALDI STORES LIMITED
PROJECT ZOAR STREET, LOWER GORNAL
TITLE PROPOSED COLOUR ELEVATIONS

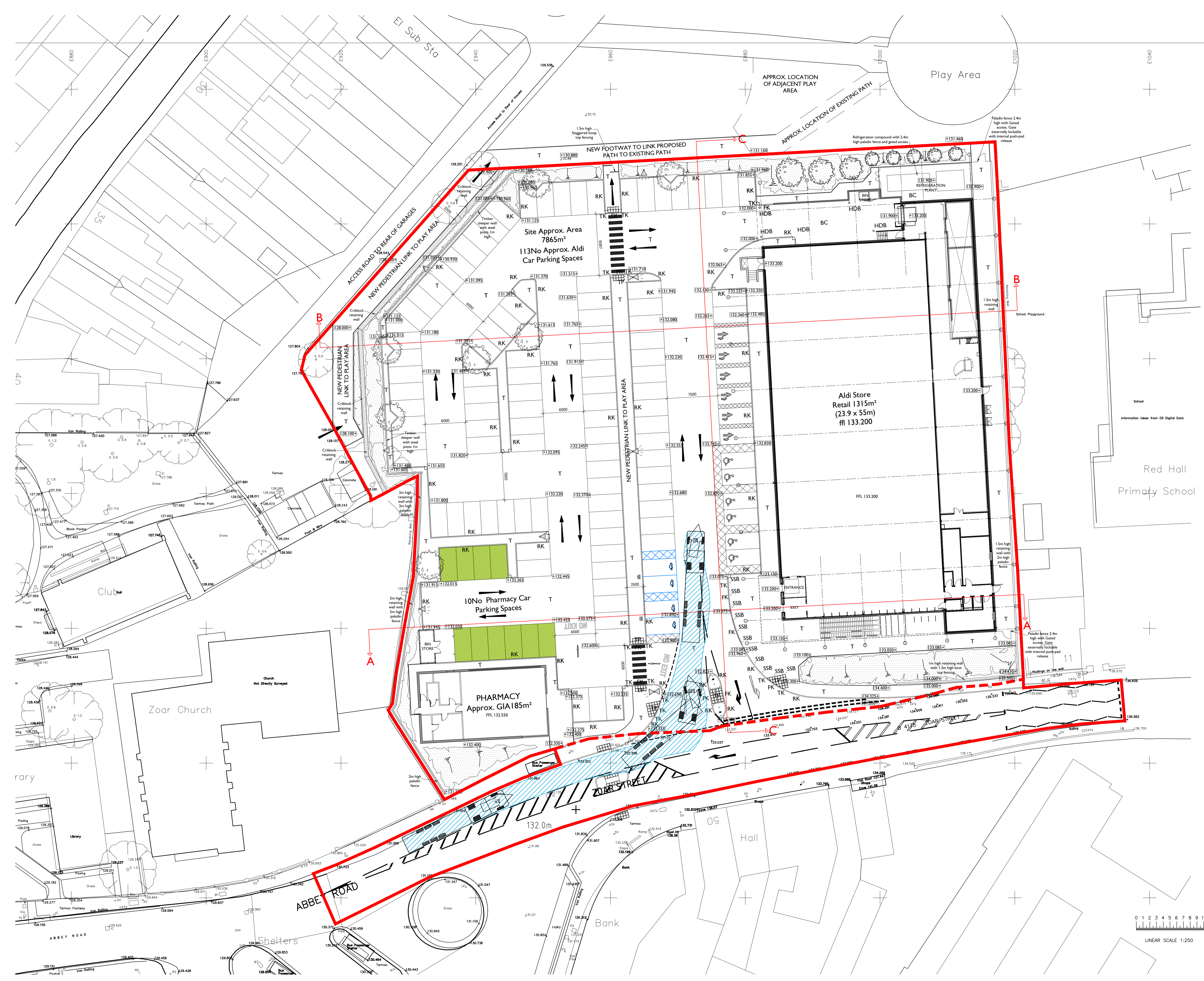
SCALE 1:200 @ A3 DRAWN SPK
DATE MAY 2020 CHECKED SB



DWG No. Y11A47 - P202 REV A

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1 DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 8NL - TEL 01246 389 860

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LEGEND	
RK	RAISED KERB
EK	EDGING KERB
FK	FLUSH KERB
DK	DROP KERB
TK	TRANSITION KERB
TRK	TRIEF (SAFETY KERB) KERB
TTK	TRIEF (SAFETY KERB) TRANSITION KERB
DC	DRAINAGE CHANNEL
G	NEW STORM WATER DRAINAGE GULLY
TL	MARSHALLS CONSERVATION PAVING 450X450X50MM
TP	TACTILE PAVING
BC	BRUSHED CONCRETE
T	TARMAC
SSB	STAINLESS STEEL BOLLARD
HDB	HEAVY DUTY BOLLARD
TB	TELESCOPIC BOLLARDS AT SITE ENTRANCE

	SINGLE LIGHT LIGHTING COLUMN
	DOUBLE LIGHT LIGHTING COLUMN
	EXISTING TREE
	NEW TREE
	LOW LEVEL LANDSCAPING
	PROPOSED LEVEL
	EXISTING LEVEL

Revision	Description	Date	Drawn	Checked
E	Boundary adjacent to the new pedestrian link slightly amended to include the small triangle of land to the west of the site	15-07-2021	SPK	SB
D	Do not scale removed from sheet	09-07-2021	SPK	SB
C	Application Red line Boundary added and annotated. Scale revised to 1:250	05-02-2021	SPK	SB
B	Electric vehicle charging points and additional notes added	25-01-2021	SPK	SB
A	Central pedestrian link to park added, car park revised to suit. Retaining wall revised adjacent to link to park.	03-12-2020	SPK	SB

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PLANNING



THE LODGE - COLESHILL MANOR - BIRMINGHAM - B46 1DL - TEL 0121 747 1943
DUNSTON PLACE - DUNSTON ROAD - CHESTERFIELD - S41 9NL - TEL 01246 369 800

CLIENT **ALDI STORES LIMITED**

PROJECT **ZOAR STREET, LOWER GORNAL, DUDLEY**

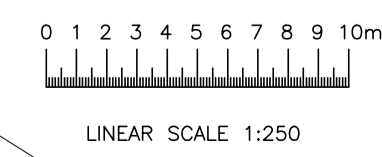
TITLE **DELIVERY ENTRANCE 02**

DATE **15-05-2020** SCALE **1:250 @ A1**

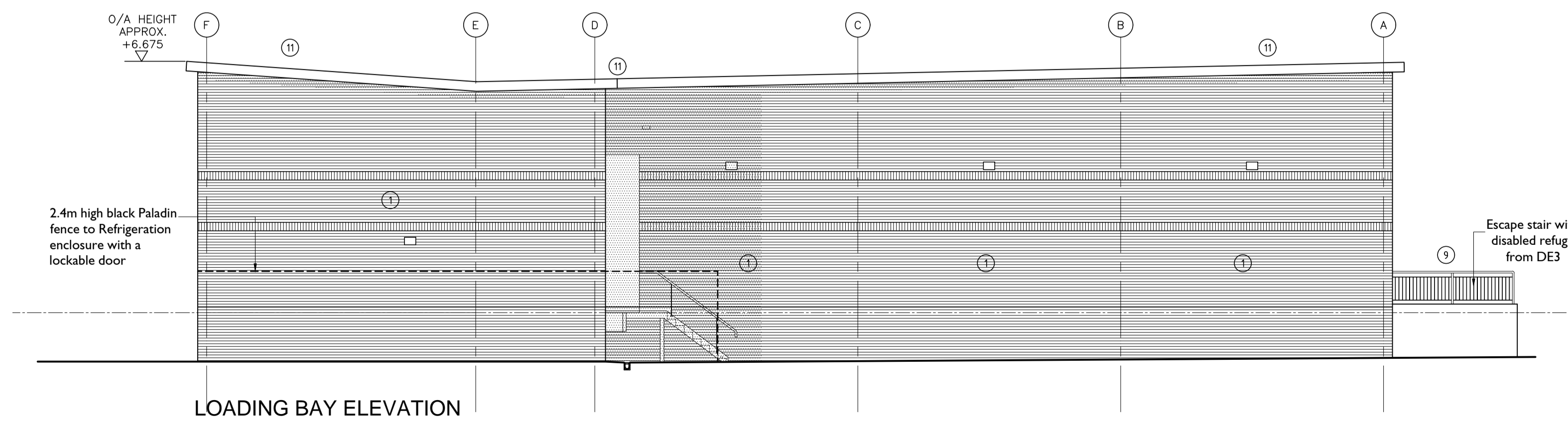
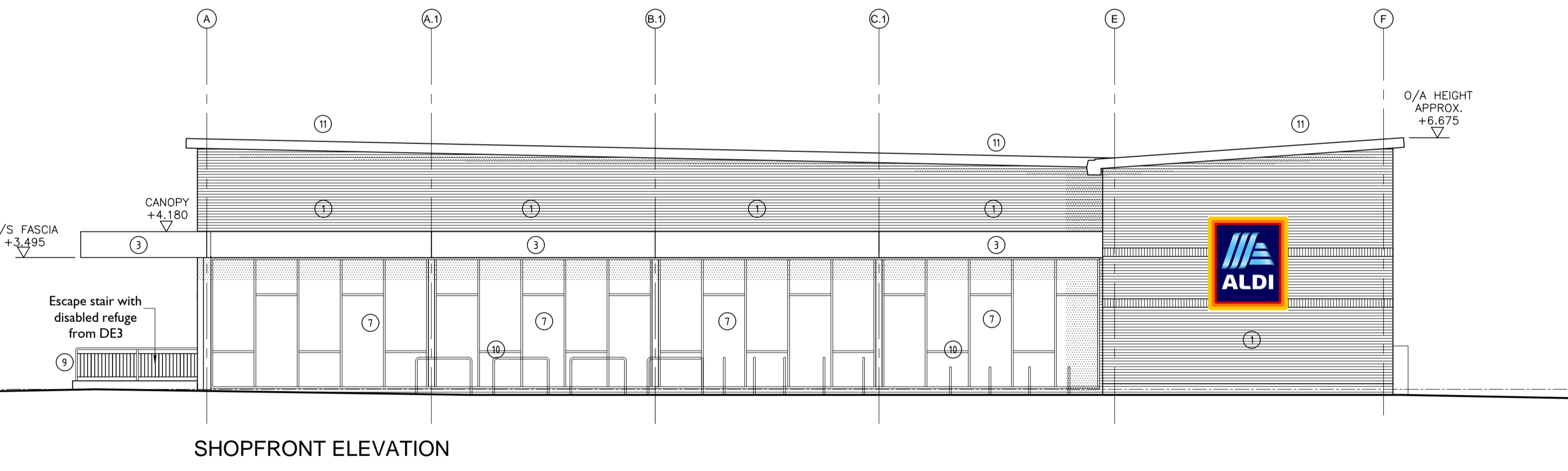
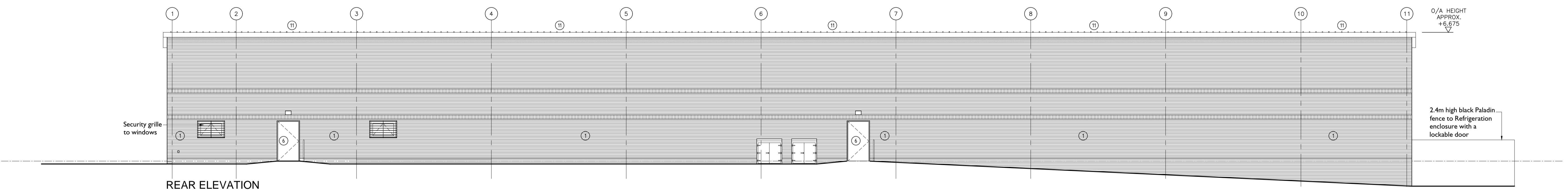
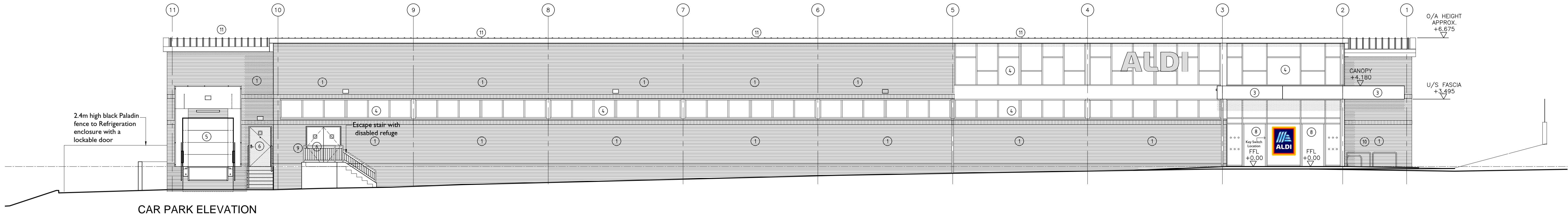
DRAWN **SPK** CHECKED **SB**

NORTH

DWG No. **Y11A47-ENT-02** REVISION **E**

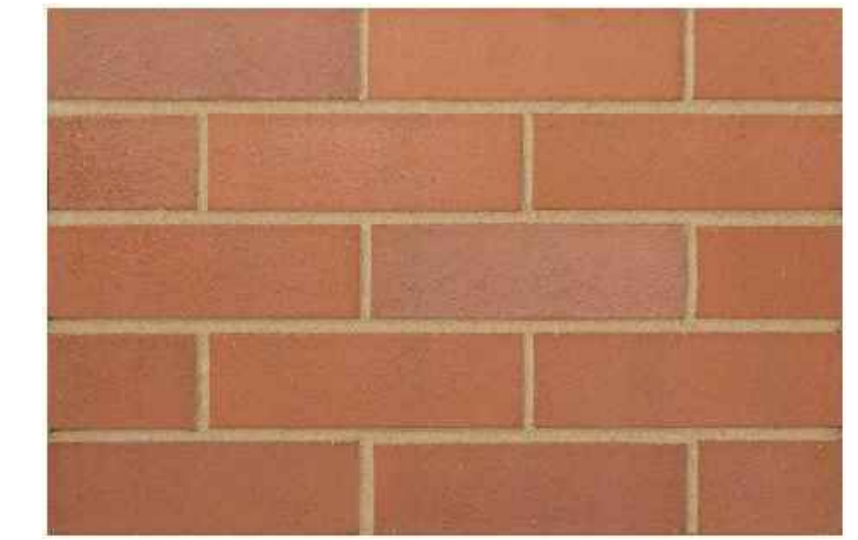


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EXTERNAL FINISHES

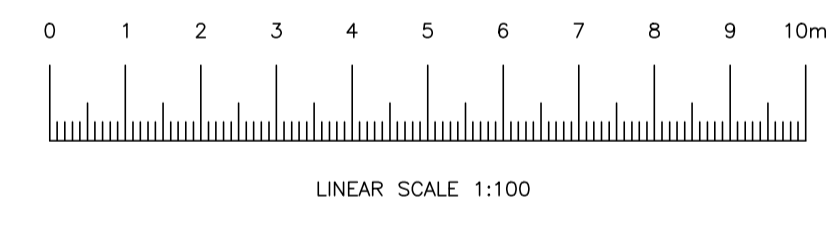
- 1 Walls - Blockleys smooth 'Hadley Red'. (Red Brick)
Standard coloured mortar
Blockleys Smooth Black' with Tarmac Y14 (black) coloured mortar brickwork below DPC and Feature Soldier courses above and below ribbon windows and around building.
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- 11 Roof trim Colour RAL 7016 (Anthracite).



Blockleys smooth 'Hadley Red'. (Red Brick)



Blockleys Smooth Black' with Tarmac Y14 (black) coloured mortar



Revision	Description	Date	Drawn	Checked
A	Do not scale removed from sheet, scale bar added, external exit stairs shown on shopfront elevation and labeled on car park elevation	09-07-2021	SPK	SB

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CLIENT **ALDI STORES LIMITED**

PROJECT **ZOAR STREET, LOWER GORNAL**

TITLE **PROPOSED ELEVATIONS**

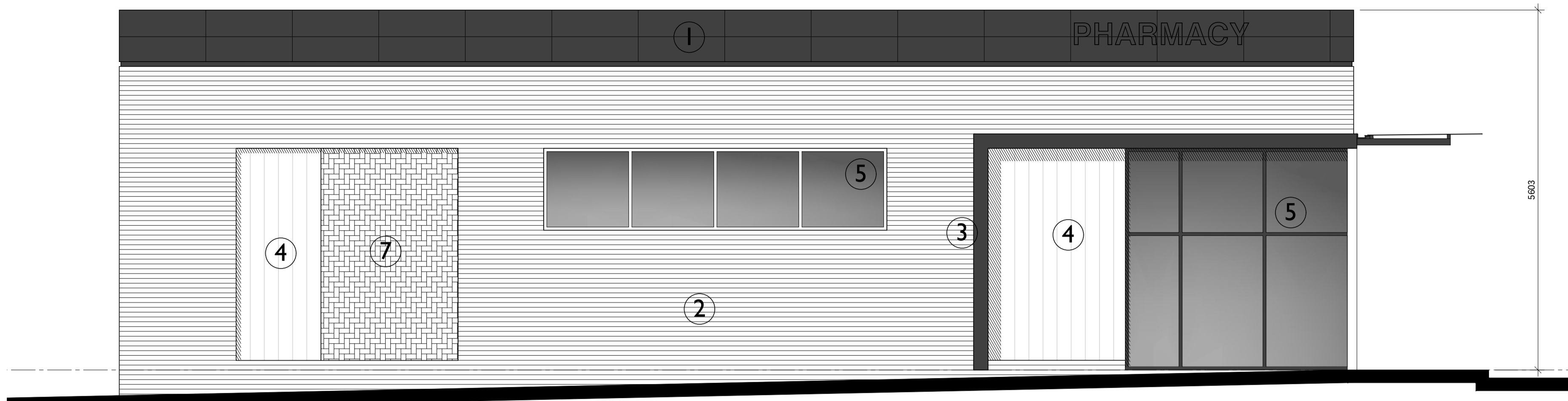
DATE **MAY 2020** SCALE **1:100 @ A1**

DRAWN **SPK** CHECKED **SB**

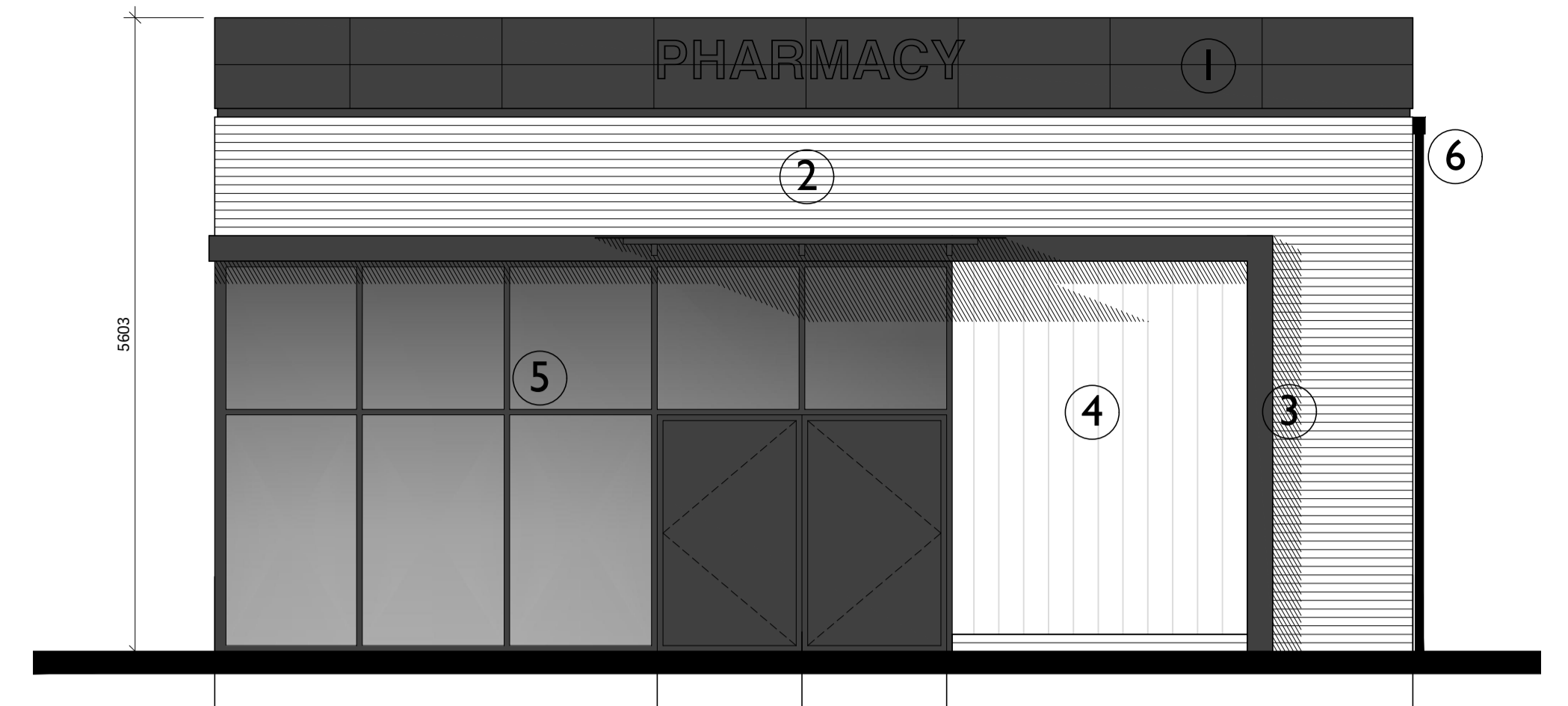
NORTH

DWG No. **Y11A47 - P201** REVISION **A**

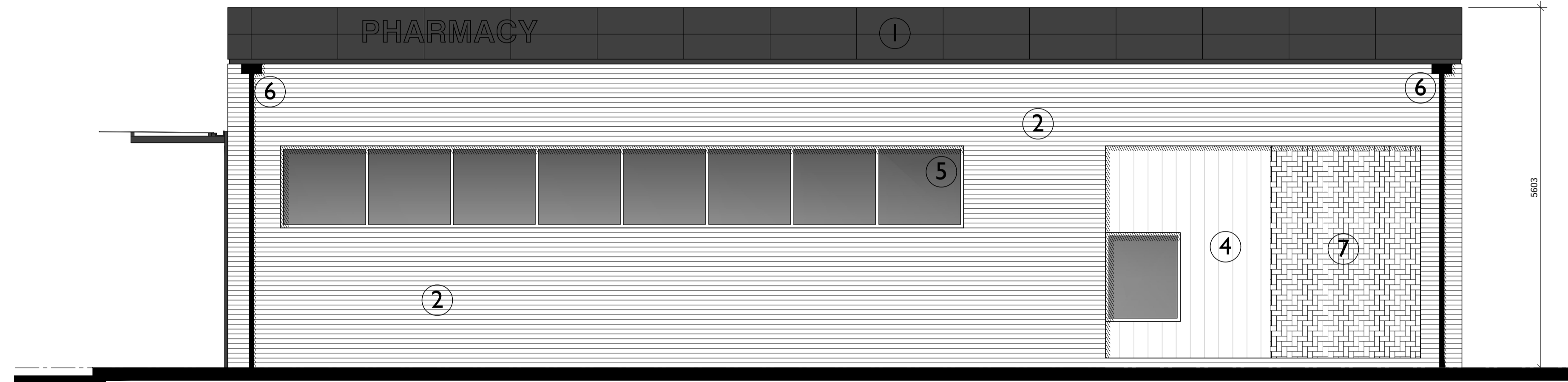
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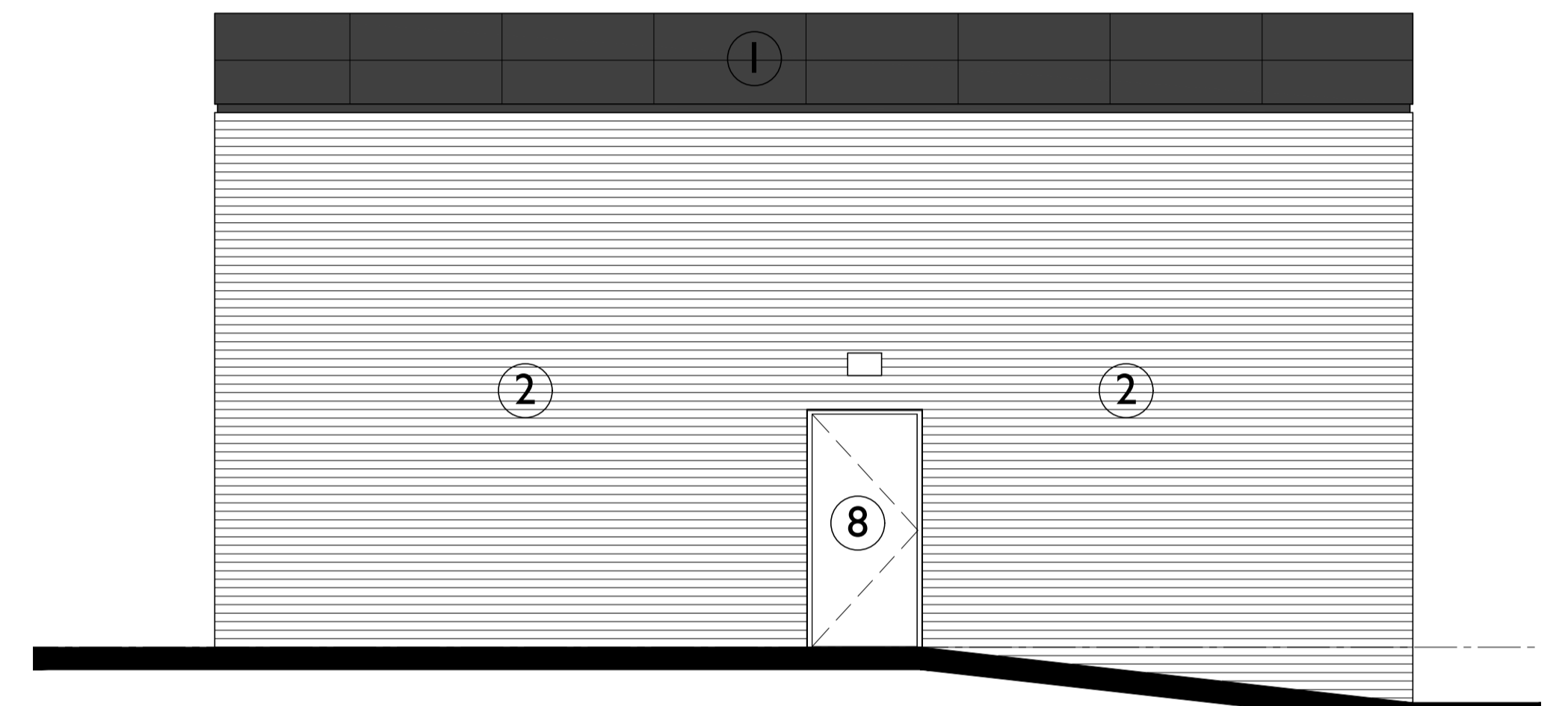
SIDE ELEVATION (A) FACING ZOAR STREET



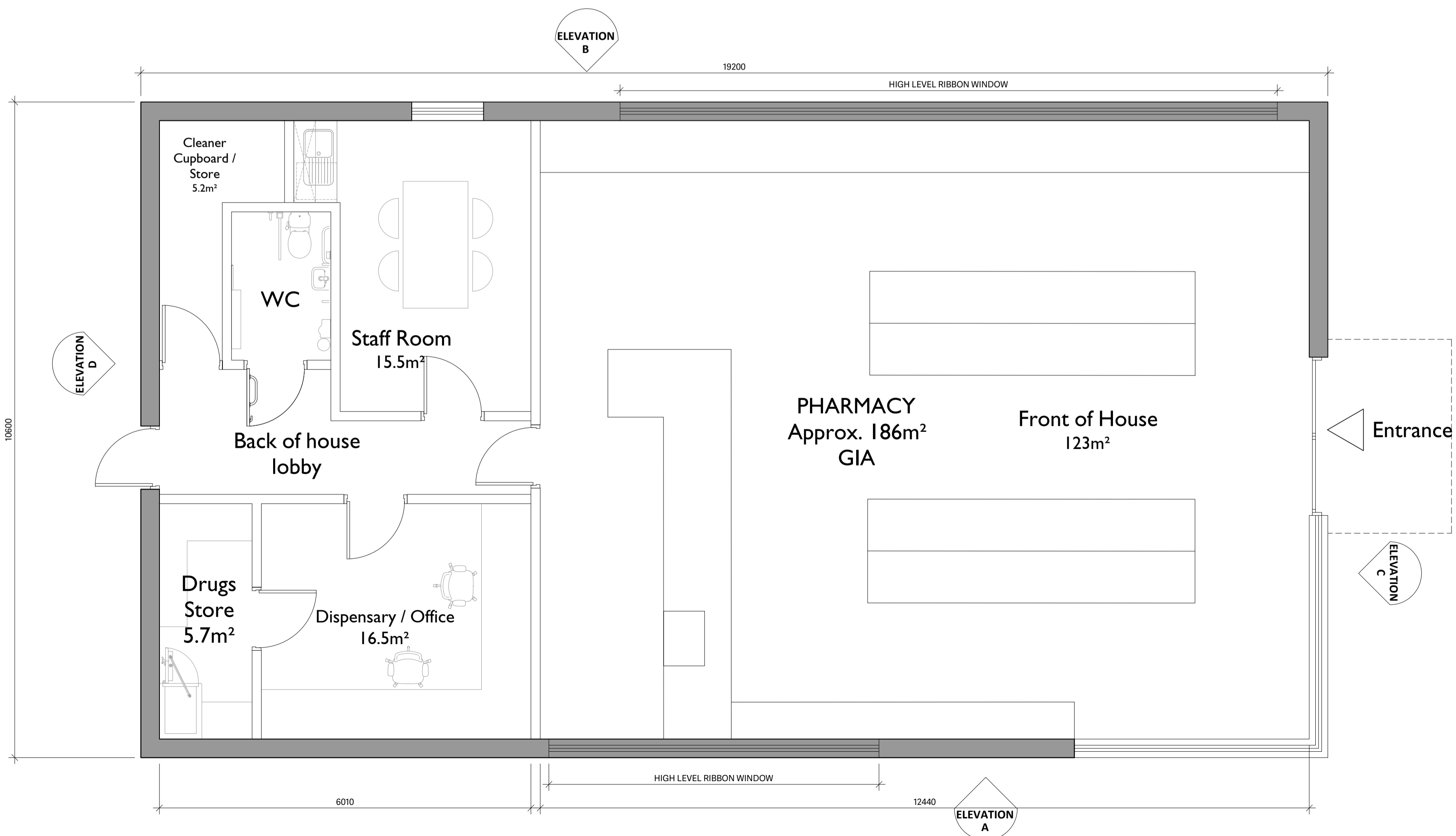
FRONT ENTRANCE ELEVATION (C)



SIDE ELEVATION (B) FACING CUSTOMER CAR PARK

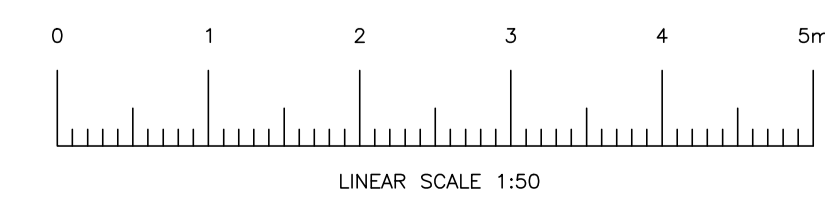


REAR ELEVATION (D)



PLAN

- Proposed Materials**
- ① Parapet with Cladding Panel System
Colour: Dark Grey (RAL 7016)
 - ② Brickwork to match surrounding buildings
Colour: TBC
 - ③ Projecting powder coated aluminium frame surround to windows.
Colour: Dark Grey (RAL 7016) to match proposed cladding panels
 - ④ Vertical Cladding Panel System Colour: White
 - ⑤ Powdercoated aluminium window frames
Colour: Dark Grey (RAL 7016) to match proposed cladding panels
 - ⑥ Rain Water Pipes & Hoppers
Colour: Dark Grey (RAL 7016) to match proposed cladding panels
 - ⑦ Decorative brickwork
Colour: TBC
 - ⑧ Steel Escape Door - Polyester Powder coated colour Dark Grey (RAL 7016)



Revision	Description	Date	Drawn	Checked
A	Plan revised to correspond to elevation - cladding to the right hand side of the entrance. Do not scale removed from sheet. Scale bar added	12-07-2021	SPK	SB

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CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET,
LOWER GORNAL,
DUDLEY

TITLE PROPOSED PHARMACY
PLAN & ELEVATIONS

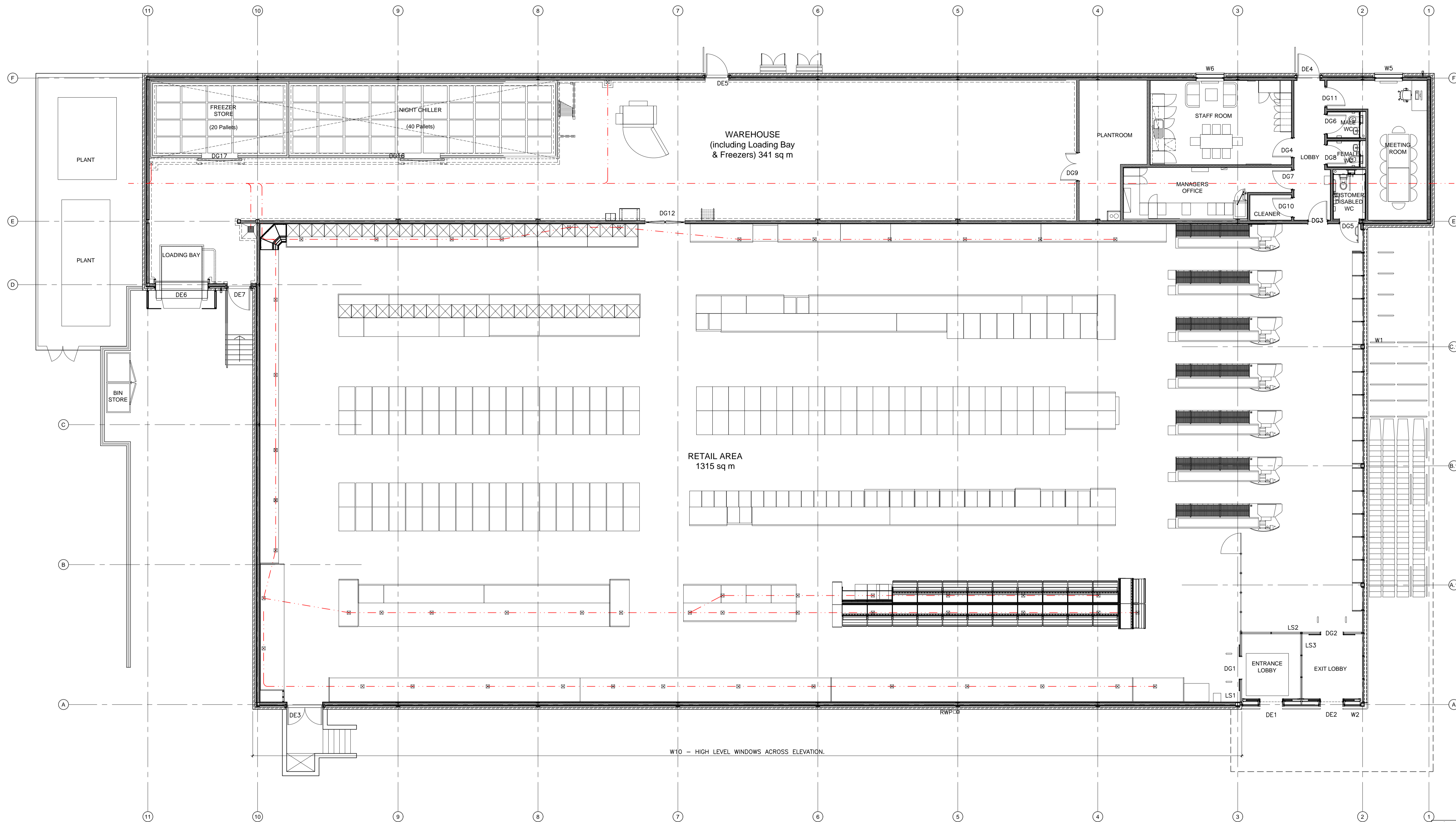
DATE 05-05-2020 SCALE 1:50 @ A1

DRAWN AW / SPK CHECKED SB

NORTH

DWG No. Y11A47 - P400 REVISION A

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FLOOR PLAN

ALDI MODIFIED CONCEPT 2		
GROSS EXTERNAL AREA	1844 sq m	19,849 sq ft
GROSS INTERNAL AREA	1786 sq m	19,224 sq ft
RETAIL AREA	1315 sq m	14,154 sq ft
WELFARE AREA (including Plantroom)	121 sq m	1,302 sq ft
WAREHOUSE (including Loading Bay and Freezers)	341 sq m	3,670 sq ft

Revision	Description	Date	Drawn	Checked
A	Do not scale removed from sheet, scale bar added, external exit stairs shown at DE3	09-07-2021	SPK	SB



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CLIENT ALDI STORES LIMITED

PROJECT ZOAR STREET,
LOWER GORNAL

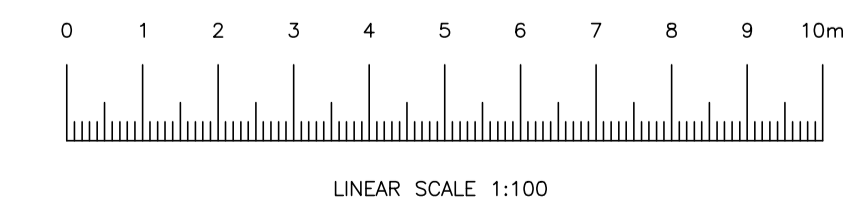
TITLE PROPOSED
FLOOR PLAN

DATE MAY 2020 SCALE 1:100 @ A1

DRAWN SPK CHECKED SB

NORTH

DWG No. Y11A47 - P200 REVISION A



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