

# PLANNING APPLICATION NUMBER:P12/1627

Type of approval sought	Full Planning Permission
Ward	Upper Gornal & Woodsetton
Applicant	Cameron Homes Limited
Location:	<b>LAND ADJACENT TO THE OLD WINDMILL, VALE STREET, UPPER GORNAL, DUDLEY, WEST MIDLANDS</b>
Proposal	<b>ERECTION OF 14 NO. DWELLINGS WITH NEW ACCESS TO HIGHWAY AND DIVERSION OF A PUBLIC RIGHT OF WAY</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## SITE AND SURROUNDINGS

- 1 The application site comprises 0.61 hectares of unmanaged grassland. The site includes a public right of way that runs across the eastern part of the site.
- 2 The site lies to the south and east of existing housing development and to the north of a local park and children's play area. Abutting the sites western boundary is Ruiton Windmill and bake house, a grade II listed building. Residential development located to the west predominantly comprises two storey semi-detached dwellings built during the 1960's. To the north are eight pairs of semi-detached bungalows built during the 1970's.

## PROPOSAL

- 3 This is a full planning application for the development of the site for housing. Access would be from Moden Close, although pedestrian access would be available from Vale Street and the adjoining recreation ground.
- 4 The submitted layout shows the provision of 14 dwellings of which 11 would be four bedroom houses (plots 1 to 5 and 8 to 13), 2 would be, two bedroom houses (plots 6 and 7) together with a single dormer bungalow (plot 14).

- 5 Three of the plots have been sited to maintain views towards the listed windmill complex.
- 6 The layout has been designed to provide an access road through the centre of the site, with the majority of the dwellings within the scheme proposed to face onto the recreation ground.
- 7 Parking consists of a mixture of on street parking, communal parking, in plot parking and garaging, of which has minimum dimensions of 6m by 3m.
- 8 The application also seeks to divert a public right of way which runs through the site.
- 9 An amended layout plan has been submitted by applicant which shows the provision of four visitor spaces for the windmill, rather than the two originally proposed. Other alterations relate to the provision of service strip and changes to position of parking.
- 10 The density of the proposed development would be 23 dwellings to the hectare.
- 11 The application is submitted with a Design and Access Statement, a Heritage Impact Assessment and an ecological assessment.

## HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
SD/48/60	Full planning permission for the working of broken stone for use as a refractory material.	Approved	01/02/54
SD/55/1054	Full planning permission for an extension of time for working of silica stone.	Approved	30/09/55
DB/67/2266	Outline planning permission for use of land for residential development.	Refuse	05/08/67
DB/73/12728	Outline planning permission for residential development.	Refuse, written rep appeal dismissed.	5/12/74
CC/79/1123	Full planning permission for the erection of a detached house.	Refuse	15/10/79
CC/79/1126	Full planning permission for the erection of 9 bungalows.	Approved	20/09/79
P06/1437	Outline application for housing development and diversion of public right of way (access to be considered).	Granted	04/07/08
P06/1437/E1	Extension of time of previously approved application P06/1437 (Outline application for housing development and diversion of public right of way (access to be considered))	Resolution to approve subject to signing of a S106 agreement	11/07/11

- 12 P06/1437 and the subsequent extension of time application sought outline planning permission for housing development, including the diversion of a public right of way.

All matters on the applications were reserved, except for access which was shown from Moden Close.

- 13 The submitted layout which was indicative and showed 28 dwellings, two of which were bungalows, 10 houses, together with 16, two bedroom apartments. The indicative layout also showed four spaces to the windmill.

## **PUBLIC CONSULTATION**

- 14 Eight letters of objection received following consultation with 55 adjoining neighbours, the posting of three site notices and the publication of an advert within a local newspaper. Main issues raised:-

- Proposed dwelling will be close to boundary wall and will affect foundations
- Additional traffic generation caused by development
- Inadequate parking within the area
- Loss of wildlife and open space
- Removal of established trees, which will result in loss of privacy
- Land presently used for walking dogs etc
- Increase in dog fouling elsewhere
- Land should be used for leisure
- Balls from football field could break windows
- Loss of light, daylight and privacy
- Impact on setting of windmill
- Reduction in property values
- Noise from the completed development
- Disruption from construction works
- The proposed two spaces for the mill are inadequate
- The parking spaces will not be visible from the mill windows and should be relocated
- There is already a problem with vandalism in the area
- Windmill would more vulnerable to trespass and vandalism
- Access to mill would be shared with adjoining dwellings
- Boundary treatment unclear

- Loss of industrial spoil heaps
- Loss of parking to mill
- Impact on tourism
- Inadequate pedestrian access from Vale Street, as no footway to one side of the road.

## OTHER CONSULTATION

- 15 Group Engineer (Development): No objections raised to diversion of the footway as proposed. The Section which would run over Council land should be finished in tarmac. The works to secure the land over which there will be a redundant length of path, between 4 and 6 Moden Close, shall be carried out at the developers cost and to the satisfaction of the LA. Works either side of the new path should be agreed with John Bailey.
- 16 Head of Environmental Health and Trading Standards: No objection subject to conditions relating to the provision of vehicle charging points and land contamination.
- 17 West Midlands Police: Make reference to the location of some of the parking spaces and other advice on height of fences, landscaping, lock design etc.
- 18 West Midlands Fire Service: No objection

## RELEVANT PLANNING POLICY

- National Planning Guidance (2012)  
National Planning Policy Framework  
Planning for the Historic Environment – Historic Environment Practice Guide
- Black Country Core Strategy (2011)  
CSP2 Development Outside the Growth Network  
CSP4 Place Making  
DEL1 Infrastructure Provision

HOU1 Delivering Sustainable Housing Growth  
HOU2 Housing Density, Type and Accessibility  
TRAN2 Managing Transport Impacts of New Development  
ENV 1 Nature Conservation  
ENV 2 Historic Character and Local Distinctiveness  
ENV 3 Design Quality  
ENV 6 Open Space, Sport and Recreation  
ENV 8 Air Quality

- Unitary Development Plan (2005) (Saved Policies)

DD1 Urban Design  
DD4 Development in Residential Areas  
DD9 Public Art  
DD10 Nature Conservation and Development  
LR1 Open Space  
LR5 Playing Fields  
LR6 Protection of Sport and Recreation Facilities  
NC1 Biodiversity  
NC6 Wildlife Species

- Supplementary Planning Guidance/Documents

Open Space, Sport and Recreation Provision Supplementary Planning Document  
Nature Conservation Supplementary Planning Document  
Historic Environment Supplementary Planning Document  
Draft New Housing Development Supplementary Planning Document (2012)  
Planning Obligations Supplementary Planning Document (2011)  
Design for Community Safety Supplementary Planning Guidance  
Parking Standards Supplementary Planning Document (2012)  
PGN3. New housing development

## ASSESSMENT

- 19 The main issues are
- Policy
  - Design
  - Setting of Windmill
  - Neighbour Amenity
  - Occupier Amenity
  - Access and Parking
  - Public Right of Way
  - Nature Conservation
  - Planning Obligations
  - National Homes Bonus
  - Other Issues

### Policy

- 20 The site is an extant Housing Site Allocation (No.28) in the adopted and 2005 UDP. The site is located outside the growth network and therefore Policy CSP2 is applicable to this residential proposal. The policy states that “by 2026, the areas outside the Strategic Centres and Regeneration Corridors will provide....a mix of good quality residential areas where people choose to live.” The proposal would be located within an established residential area immediately adjacent to a local park, and would need to incorporate a range of dwelling types in line with Policy CSP2 which is proposal does.
- 21 As a long-standing housing site allocation in the 2005 UDP, the site is part of the capacity identified in the Black Country Core Strategy Policy HOU1 outside of the Growth Network.
- 22 The site whilst partly regenerated has historically been used as a scrap yard and as such is considered to constitute previously developed land in accordance with the advice in the National Planning Policy Framework.

- 23 A further material consideration is that P06/1437/E1 was the subject of a Development Control Committee resolution to approve, subject to the signing of a Section 106 Agreement in July 2011.

### Design

- 24 A significant consideration with this planning application is ENV2 - Historic Character and Local Distinctiveness which requires development to protect and promote the special qualities an, historic character and local distinctiveness of the Black Country.
- 25 In addition saved policies DD1 and DD4 of the Dudley Unitary Development Plan require developments to fit into their surroundings in terms of design and neighbour amenity.
- 26 The proposed layout has been principally designed around a number of constraints being a suitable vehicular access point, the relationship with the listed windmill, the relationship with neighbours and the relationship with the adjoining recreation ground. In addition, the need to accommodate the diversion of an existing public right is a significant issue.
- 27 As stated above the site has only one viable access point and the applicant has tried, despite the constraints of the site, to ensure that the dwellings face onto the road. The layout has also been designed to ensure a positive relationship with the adjoining recreation ground with houses facing out onto it and thus to a certain extent, provide a level of natural surveillance which the recreation presently does not enjoy.
- 28 Other design innovations to reduce the impact of the road within the site include is the use of shared surfaces where a footway is provided on one side of the proposed access road through the site.



- 29 The design of the individual dwellings is considered to be acceptable with detailing including soldier arches above windows, dentil detailing to eaves and storm porches. Some of the plots are also dual aspect to ensure an effective corner treatment is provided.
- 30 Matters relating to the setting of the windmill and the public right of way are explored below.

### Density

- 31 The density of the development would be in the region of 23 dwellings to the hectare, which is below the average density of the area, and the target density of in the region of 30 to 40 dwellings to the hectare.
- 32 This figure is explained by the generally larger properties proposed and that a significant part of the site alongside the windmill and recreation ground would remain undeveloped

### Setting of Windmill

- 33 The windmill which adjoins the site is Grade II listed and forms a cluster of other heritage assets with the locality which formed the historic settlement of Ruiton.
- 34 A significant part of the pre-application discussion for site revolved around ensuring views, particularly from the adjoining recreation ground were maintained. This has involved the setting back of plots 5 to 7 to ensure the views are maintained. In addition the design of plots 6 and 7 has been modified to reduce the mass of their roofs to ensure the setting of the windmill is protected.
- 35 Parking has also been moved further away from the windmill again to protect the setting of the windmill.

### Neighbour Amenity

- 36 The principle tool to assess the impact development on neighbour amenity is Annex 1 of the recently adopted Supplementary Planning Document on New Housing Development. This requires 22m between opposing habitable room windows and 14m between habitable room windows and blank elevations. In this case the 22m separation distance is met, however, a small sections of plots 1 and 4 breach are short of the 14m distance in terms of the corners of the buildings, but otherwise in the main comply. In respect of plot 4 the impact is further mitigated by proposals for a dormer bungalow, rather than a two storey house.

### Occupier Amenity

- 37 The separation distances within the site generally comply with Annex A of the New Housing Development Supplementary Planning Document, in terms of separation distances and garden sizes, although plot 9 which is marginally substandard in length at 10m, also has a width of up to 11m and therefore a large amenity area.
- 38 There are no other apparent constraints such as noise, which would affect residential amenity

### Access and parking

- 39 Vehicular access to the site would be from Moden Close, as with the two previous applications at the site and as such is considered to be acceptable.
- 40 The main access into the site, due to the number of dwellings proposed, would need to be built to an adoptable standard, although the peripheral parts of the site would be served by private drives, notably plots 5 to 10.

- 41 The applicant was requested to make some minor changes to the layout by the Group Engineer (Development), principally regarding service strip and the location of parking spaces. These changes have been made to the satisfaction of the Group Engineer (Development).
- 42 The layout for the site was subject of pre-application discussions and as such complies with the Councils revised Parking Standards Supplementary Planning Document.
- 43 Comments with regards to parking for the windmill are noted, however, it should be noted that the windmill presently has no formal off road parking available. Initially the applicant offered two parking spaces for the windmill, however, following request, this has been increased to four and is in line with the number of spaces proposed by the two earlier applications at the site, one of which is still subject of a resolution to approve and such is a material consideration. The parking has also been located to minimise visual impact to the windmill.

#### Public Right of Way

- 44 The site does have a public right of way running through it and proposals involve the stopping up of part of the existing route and its diversion through the development. The stopping up and diversion would also improve matters from a Secure by Design point of view as the existing route runs to rear of private gardens and is poorly overlooked.
- 45 The diverted footway which in part would run over Council owned land, is proposed to be finished in tarmac that would provide improved access for users. The footpath diversion is not believed to materially affect any the pitches on the adjoining recreation ground.
- 46 Works to secure the land over which there will be a redundant length of path, between 4 and 6 Moden Close, shall be at the developers cost and to the satisfaction of the Council. It is recommended that walls be constructed in Gornal Stone.

47 The public rights of way officer is satisfied with the proposed diversion, and was party to pre-application discussions at the site.

### Nature Conservation

48 Due to the partial regeneration of the site and the adjoining recreation ground the application has been submitted with a nature conservation assessment from a site and desk top assessment.

49 In respect of amphibians the assessment states there are no water bodies recorded within the survey area or directly adjacent to it. The closest Great Crested Newt record is 400m to the south and is separated from the site by urban development. Furthermore, all ponds identified within the local area through desk based research are either isolated from the site by extensive built development or sufficiently remote to preclude use of the site by amphibians for breeding. Additionally there is no evidence of reptiles recorded within the survey area or directly adjacent to it.

50 The assessment states there is no evidence of badger activity and although badgers are known to be present in the wider area, no records for the site directly adjacent are currently known to exist. The on-site habitats provided some limited opportunities for badger foraging. Mammal paths were recorded within the scrub area, although considered to probably be used by either or by domestic animals or urban foxes.

51 During the survey no trees were identified with the potential to support roosting bats, as all trees were young standards in good general condition.

52 During the survey, areas of established vegetation were identified as having some potential for use by nesting birds; no actual nest sites were recorded. No other evidence of protected species was recorded and no other potential habitat was observed for protected species during the survey.

53 In conclusion, the assessment states there are no apparent nature conservation constraints to prevent the site from being developed. However, the assessment does make a number of recommendations with regard to the enhancement of the site.

### Loss of Trees

54 The trees which are within the site are self-set and comparatively juvenile and as such their retention would be difficult to justify on amenity grounds.

### Planning Obligations

55 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.

56 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.

57 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.

58 Following consideration of the above tests the following planning obligations are required for this application:

### **On-Site Provision (to be secured by condition)**

- Public Realm
- Nature Conservation Public Art
- Air Quality Enhancement
- Economic and Community Development

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

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

### **New Home Bonus**

61 Clause (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.

62 The New Homes Bonus is designed to create an effective fiscal incentive to encourage local authorities to facilitate housing growth. It will ensure the economic benefits of growth are more visible within the local area, by matching the council tax raised on increases in effective stock.

63 The Bonus provides local authorities with monies equal to the national average for the council tax band on each additional property and paid for the following six years as a non-ring fenced grant. In addition, to ensure that affordable homes are sufficiently prioritised within supply, there will be a simple and transparent enhancement of a flat rate £350 per annum for each additional affordable home.

- 65 This proposal would provide 14 houses generating a grant of 14 times the national average council tax for the relevant bands
- 66 Whilst this is a significant sum of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

### Other Matters

- 67 The matters relating to existing crime and security issues raised by neighbours at the site are noted, however, this is not unexpected as the present scrub on the site and the unfenced nature of the site makes it vulnerable in its present state to crime and anti social behaviour. The development of the site would assist in eliminating or reducing this risk, through the natural surveillance associated with the residential activity. In addition a number of garden boundaries which currently back on the site, including the windmill would become less vulnerable.
- 68 A number of representations made by neighbours such the disruption caused by the development, loss of views, dog fouling and the devaluation of property values are not are not material planning considerations which can be afforded any weight.
- 69 Reference is made to loss of parking to the mill, where at present there is no formalised parking to the mill.

## **CONCLUSION**

- 70 The principle of residential development at the site is considered to be acceptable in that the site is allocated for housing in the Dudley Unitary Development Plan. The development as proposed is considered to be of acceptable design, would cause no adverse impact to neighbour amenity or provides sufficient parking. In addition the proposed development is unlikely to result in harm to nature conservation assets or the setting of the listed windmill. Consideration has been given to policies CSP2 Development Outside the Growth Network CSP4 Place Making DEL1 Infrastructure Provision HOU1 Delivering Sustainable Housing Growth HOU2 Housing Density,

Type and Accessibility TRAN2 Managing Transport Impacts of New Development  
ENV 1 Nature Conservation ENV 2 Historic Character and Local Distinctiveness  
ENV 3 Design Quality ENV 6 Open Space, Sport and Recreation ENV 8 Air Quality  
of the Black Country Core Strategy and saved policies DD1 Urban Design DD4  
Development in Residential Areas DD9 Public Art DD10 Nature Conservation and  
Development LR1 Open Space LR5 Playing Fields LR6 Protection of Sport and  
Recreation Facilities NC1 Biodiversity NC6 Wildlife Species of the Dudley Unitary  
Development Plan.

## RECOMMENDATION

- A) It is recommended that the application be APPROVED subject to the following conditions:
- B) That subject to the developers agreeing to pay the full costs of the Order, an Order be made under section 257 of The Town and Country Planning Act 1991 to divert that section of public footpath Se 66 as shown on Plan D001 to enable development authorised by permission to take place. The Order shall not become operative until the local authority are satisfied that the diversion has been constructed to their specification and satisfaction.

### Reason for approval

The principle of residential development at the site is considered to be acceptable in that the site is allocated for housing in the Dudley Unitary Development Plan. The development as proposed is considered to be of acceptable design, would cause no adverse impact to neighbour amenity or provides sufficient parking. In addition the proposed development is unlikely to result in harm to nature conservation assets or the setting of the listed windmill. Consideration has been given to policies CSP2 Development Outside the Growth Network CSP4 Place Making DEL1 Infrastructure Provision HOU1 Delivering Sustainable Housing Growth HOU2 Housing Density, Type and Accessibility TRAN2 Managing Transport Impacts of New Development ENV 1 Nature Conservation ENV 2 Historic Character and Local Distinctiveness ENV 3 Design Quality ENV 6 Open Space, Sport and Recreation ENV 8 Air Quality of the Black Country Core Strategy and saved policies DD1 Urban Design DD4 Development in Residential Areas DD9 Public Art DD10 Nature Conservation and Development LR1 Open Space LR5 Playing Fields LR6 Protection of Sport and



Recreation Facilities NC1 Biodiversity NC6 Wildlife Species of the Dudley Unitary Development Plan.

The decision to grant planning permission has been taken with regard to the policies and proposal of the Black Country Core Strategy (2011) and the saved policies and proposals in the adopted Dudley Unitary Development Plan (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

#### Notes to Applicant

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.

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

The new 1.8 m wide tarmaced path crosses land in the Council's ownership.

Works to secure the land over which there will be a redundant length of path, between 4 and 6 Moden Close, shall be at the developers cost and to the satisfaction of the LA . It is recommended that walls be constructed in Gornal Stone.

Works either side of the new path should be agreed with John Bailey.

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: MOD/002C, 003A, 004, 005, 006, 008
3. No part of the development hereby permitted shall be commenced until detailed plans showing existing site levels and finished floor levels of the dwellings and the roads and parking areas within the site have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.
4. No part of the development hereby permitted shall be commenced until a schedule of all materials to be used on the external surfaces walls and roofs of the buildings has been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall only be constructed in accordance with these details.
5. No part of the development hereby permitted shall be commenced until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details must include, where appropriate, planting plans, written specifications, a schedule of plants including species, plant sizes and proposed numbers/densities and a programme of implementation. Plans must also include accurate plotting of all existing landscape features.  
The works approved as part of this condition shall be completed within the first planting season following the first occupation of any part of the development. Any trees or shrubs planted in pursuance of this permission including any planting in replacement for it which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.
6. None of the development hereby approved shall be first commenced until details of the long term maintenance and management of the soft landscape including fencing areas outside of the domestic curtilages shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape areas including fencing shall thereafter be maintained and managed for the life of the

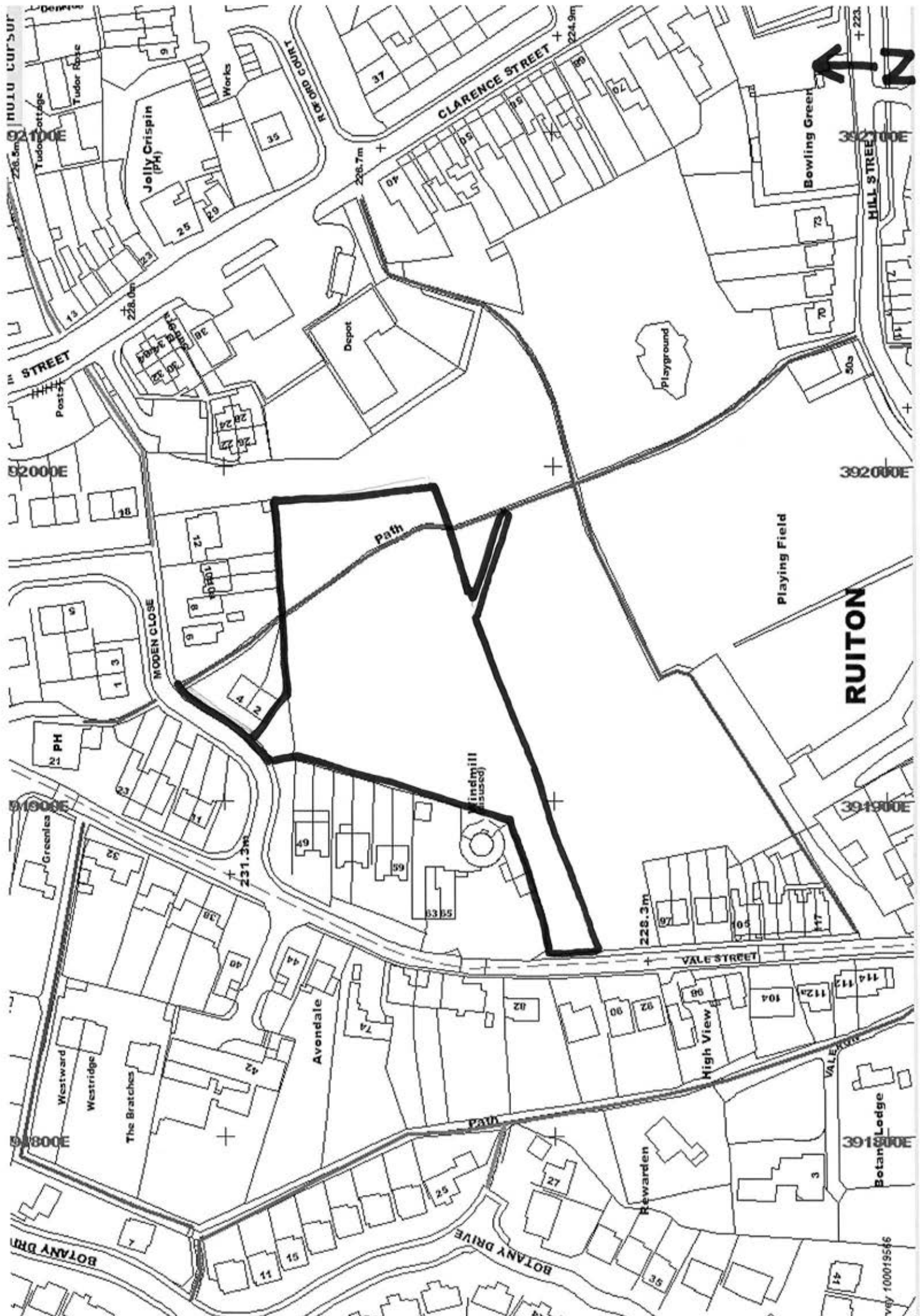
development in accordance with the approved details.

7. 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 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. The scheme should have regard to the recommendations in the nature conservation report submitted with the application.
8. No development shall commence until details of public realm works have been submitted to and approved in writing by the Local Planning Authority. The public realm 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.
9. 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.
10. 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.
11. No development shall commence until details of the design, size, location, artwork and text for an interpretation panel for the windmill have been submitted to and approved in writing by the Local Planning Authority. The Interpretation Panel 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.
12. No development shall commence until details for the provision of external electric charging points have been submitted to and approved in writing by the Local Planning Authority. The Electric Charging point(s) 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.
13. The development hereby approved shall not be first occupied until the footpath Ref. Se66 has been extinguished and/or diverted in accordance with the details shown on the approved plans.
14. The development hereby approved shall not be first commenced until details of the surfacing and laying out of the footpath diversion across the adjoining playing field and other works which are required has been submitted to and approved in writing by the Local Planning Authority. The footpath shall thereafter be surfaced and laid out in accordance with the approved details. When discharging the condition the developer should have regard to ensuring that it

has a minimum width of 1.8m and that it is finished

15. No individual dwelling shall be occupied until the parking for that dwelling has been provided in accordance with the approved plans. The parking shall thereafter be retained for the life of the development. The last two houses on the site shall not be first occupied until the four parking spaces for the windmill have been laid out in accordance with the approved plans. The parking for the windmill shall thereafter be available for use at any time and shall be retained for the life of the development.
16. 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.
17. Where the approved risk assessment (required by Con 16) 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.
18. Unless otherwise agreed in writing with the LPA, the approved scheme (required by Con 17) 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.
19. No development shall begin until an assessment of the risks posed by any ground gases or vapours 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 Con 19) identifies ground gases or vapours 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 Con 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. No development hereby approved shall be first commenced until details of the scuring of the existing right of way between Nos. 4 and 6 Moden Close has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.
23. No development shall commence until details of lines, widths, levels, gradients, cross sections, drainage and lighting have been submitted to and approved in writing by the LPA. These shall be implemented in accordance with the approved details and retained thereafter for the life of the development.
24. 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.



# RUITON

Map labels and features include:

- Streets:** CLARENCE STREET, VALE STREET, BOTANY DRIVE, HILL STREET, MODEN CLOSE, AVENDALE, PAUL, BOWLING GREEN.
- Buildings and Landmarks:** Jolly Crispin (PH), Depot, Windmill (ruined), Playing Field, Playground, Botans Lodge, Rewarden, High View, The Bratches, Westward, Westridge, Greenlea, Tudor Cottage, Tudor House, Works, 37, 70, 72, 70, 50s, 18, 12, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200.
- Other Features:** Path, Depot, Windmill (ruined), Playing Field, Playground, Botans Lodge, Rewarden, High View, The Bratches, Westward, Westridge, Greenlea, Tudor Cottage, Tudor House, Works, 37, 70, 72, 70, 50s, 18, 12, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200.



**JOB:** Proposed Residential Development off Moden Close / Vale Street Upper Gornal

**TITLE:** Location Plan

**CLIENT:** CAMERON

**SCALE:** 1:1250 @A4

**DATE:** DEC 2012

**DRAWN:** KJS

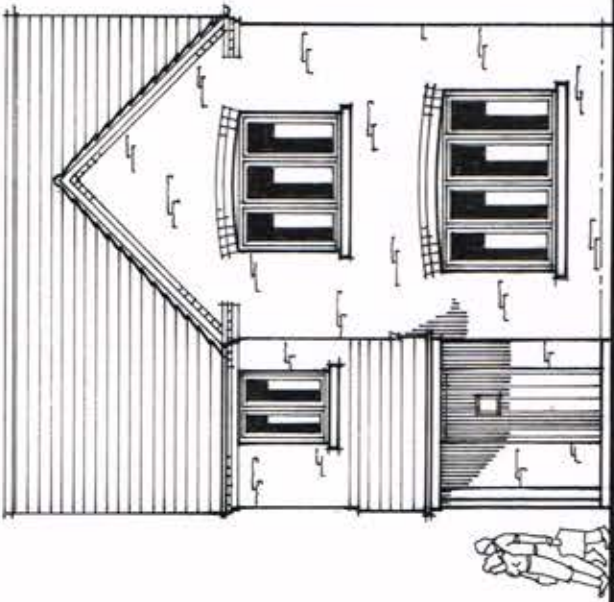
**DRAWING No.:** MOD/001

**KJS Residential Design Services**

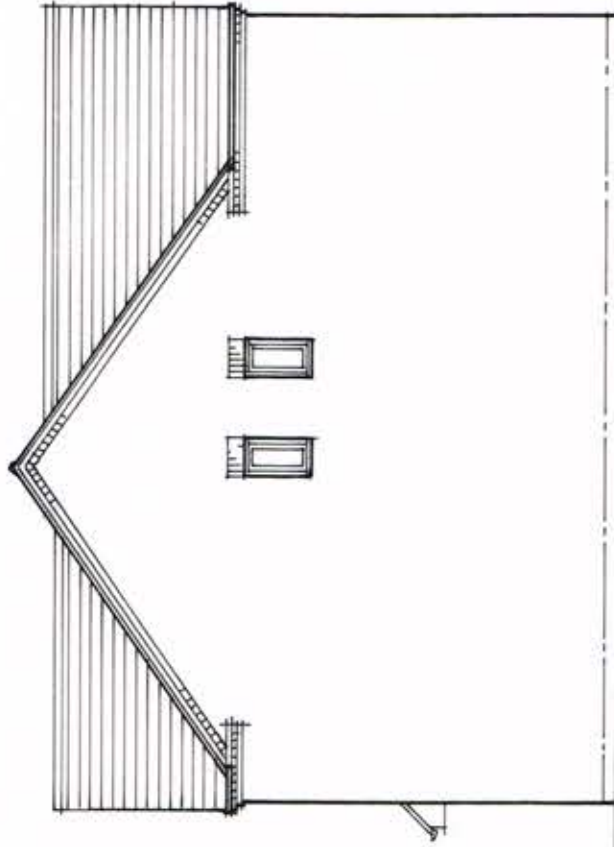
11 PERTON BROOK VALE, WIGHTWICK, WOLVERHAMPTON, WV6 8DS  
 Tel: 01902 761072 Mob: 07963 700224  
 E-mail: [shakespeare@blueyonder.co.uk](mailto:shakespeare@blueyonder.co.uk)



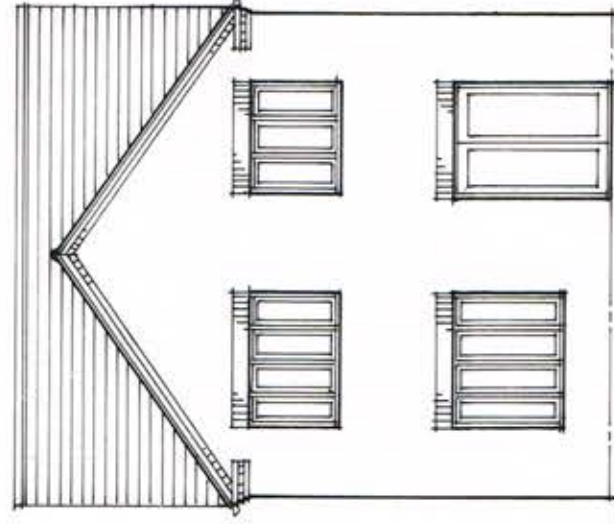




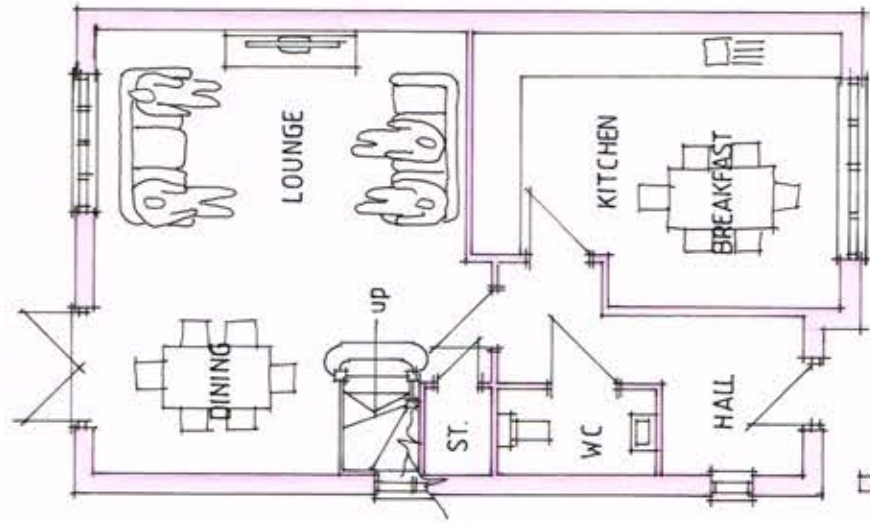
FRONT ELEVATION



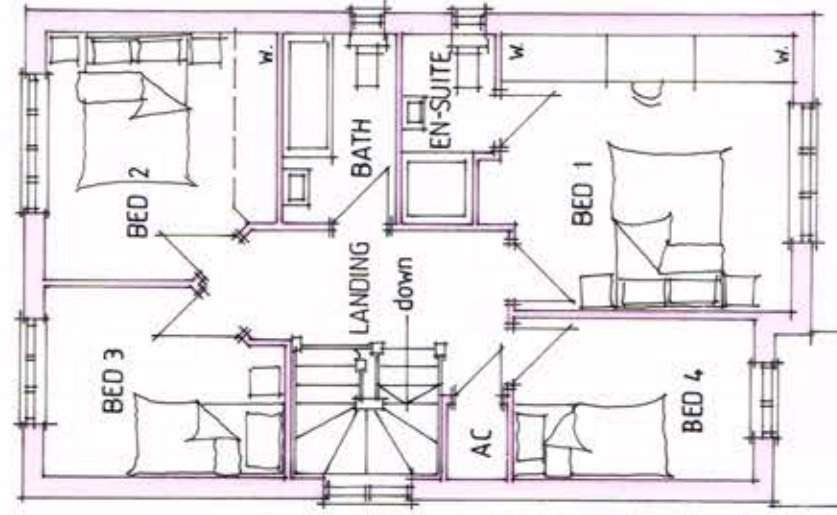
SIDE ELEVATION



REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



JOB: Proposed Residential Development off Moden Close / Vale Street Upper Gornal

TITLE: House Type D Plans & Elevations

CLIENT: CAMERON

SCALE: 1:100 @ A3

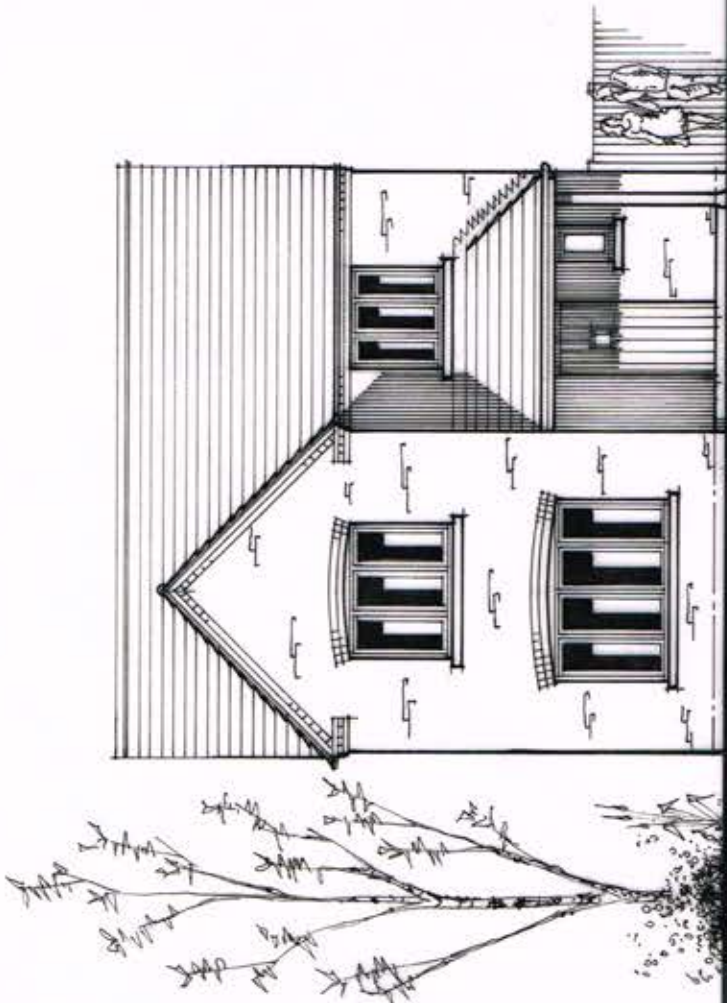
DATE: DEC 2012

DRAWN: KJS

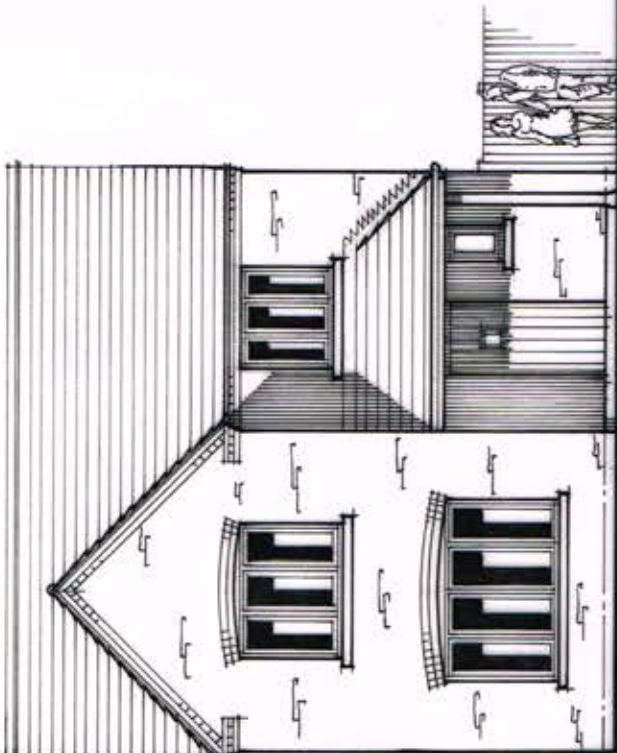
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**KJS Residential Design Services**

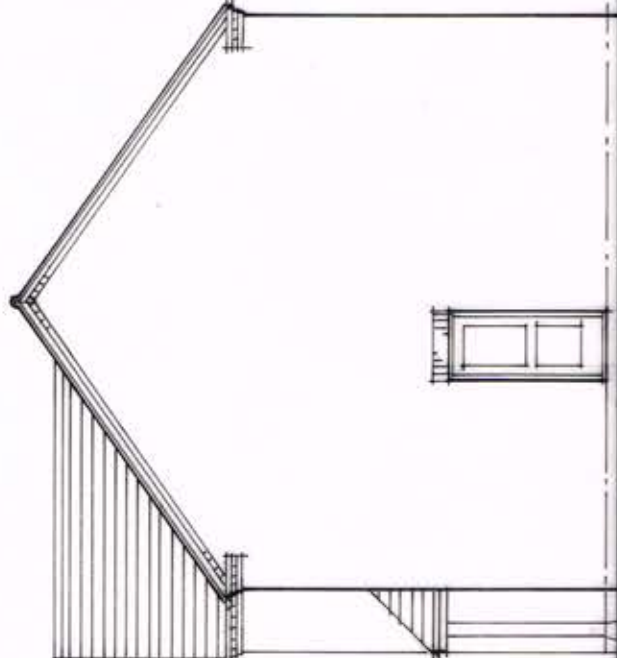
11 PERTON BROOK VALE, WIGHTWICK, WOLVERHAMPTON, WV6 8DS  
 Tel: 01902 761072 Mob: 07963 700224  
 E-mail: shakespeare@blueyonder.co.uk



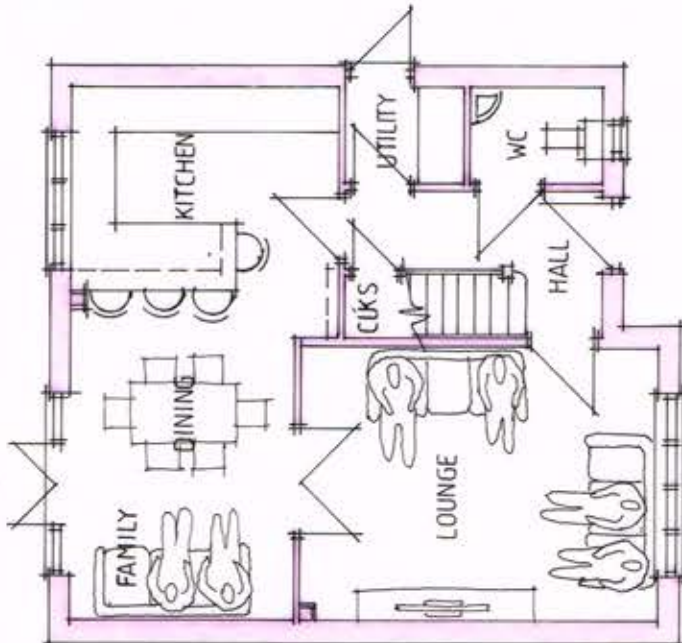
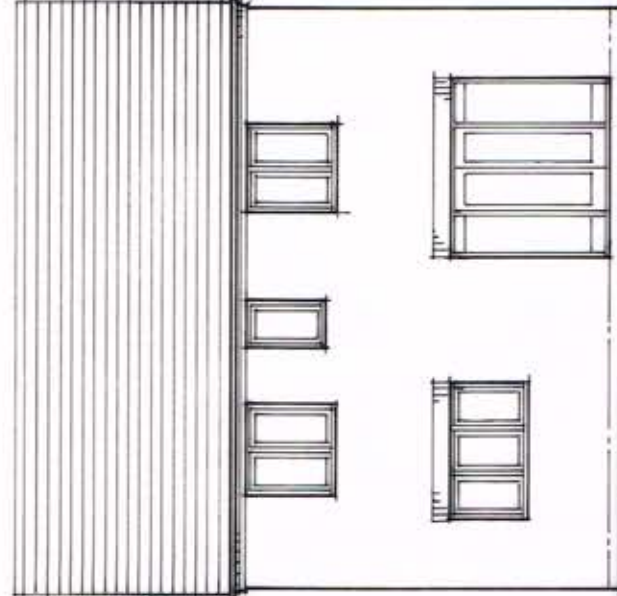
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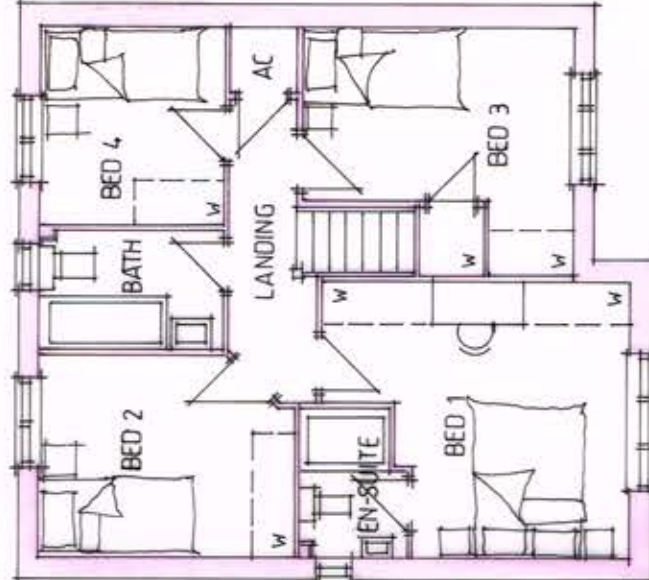
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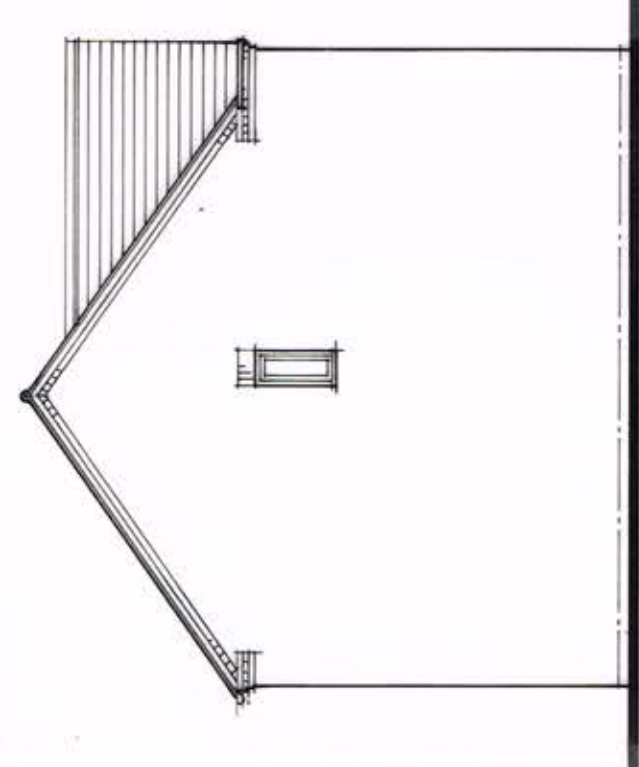
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION



JOB: Proposed Residential Development off Moden Close / Vale Street Upper Gornal

TITLE: House Type C Plans & Elevations

CLIENT: CAMERON

SCALE: 1:100 @ A3

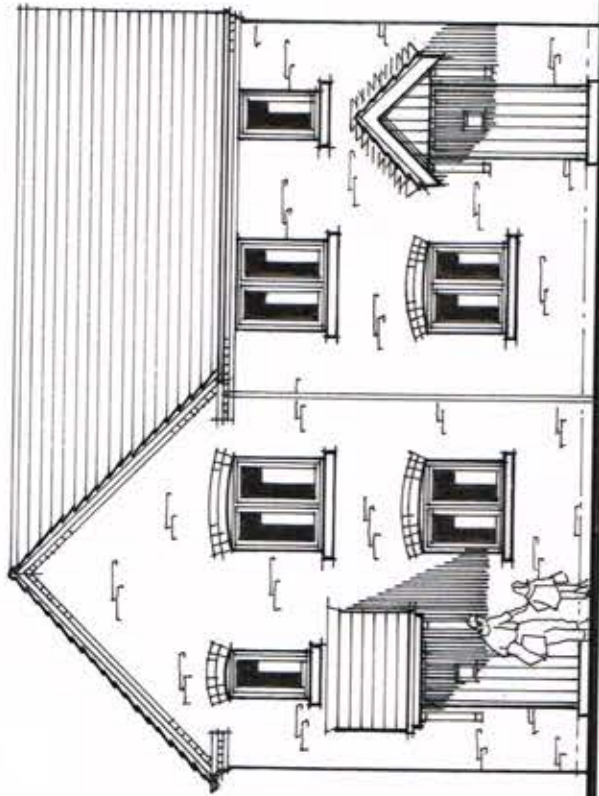
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DRAWN: KJS

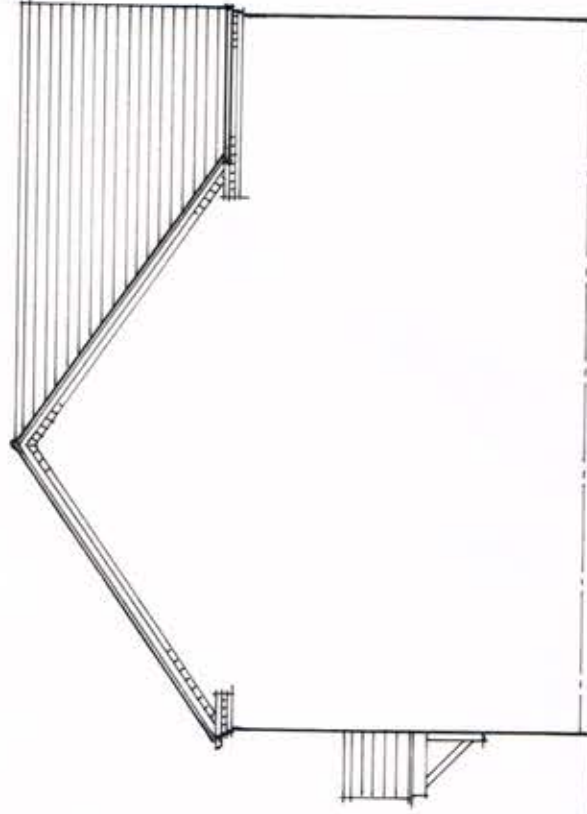
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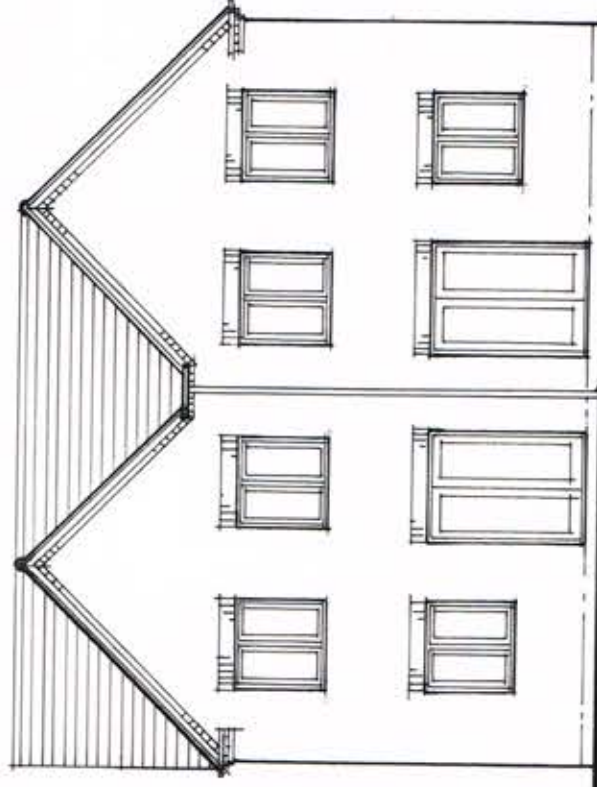
11 PERTON BROOK VALE, WIGHTWICK, WOLVERHAMPTON, WV6 8DS  
 Tel: 01902 761072 Mob: 07963 700224  
 E-mail: shakespeare@blueyonder.co.uk



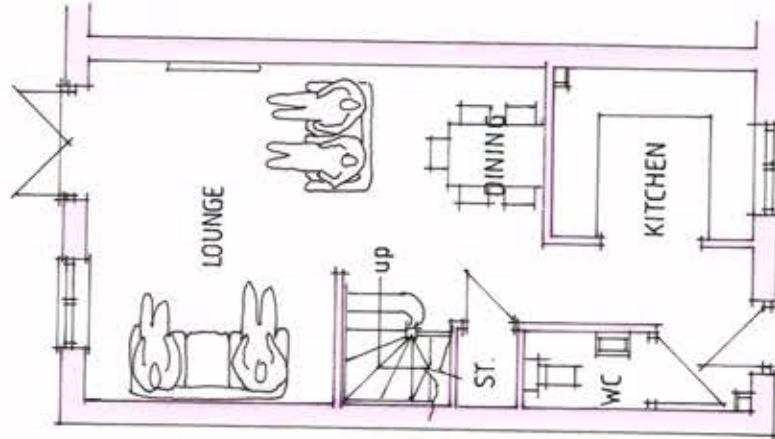
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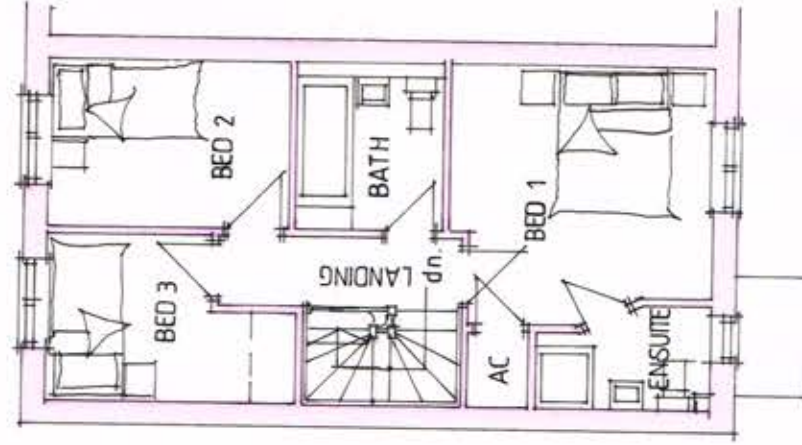
SIDE ELEVATION



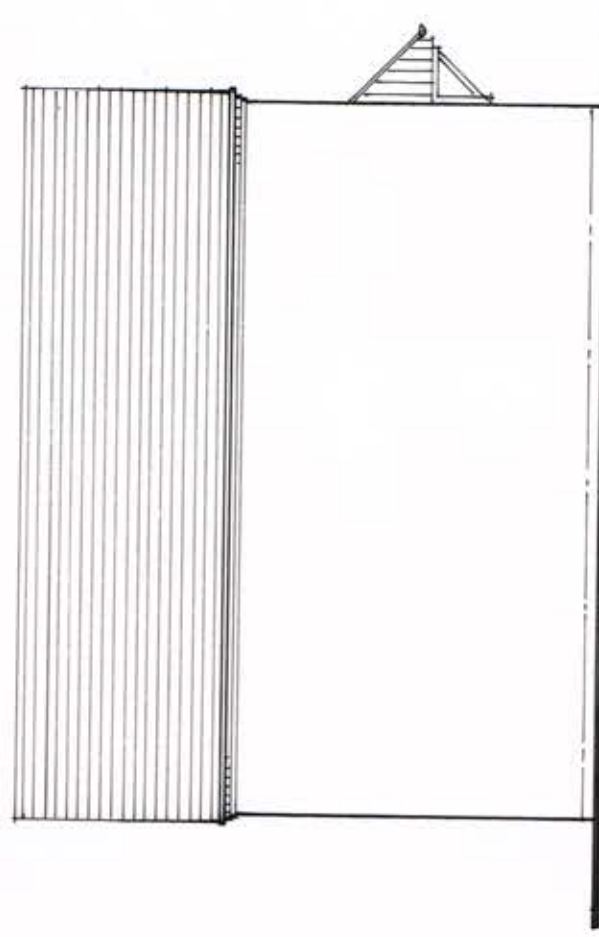
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION



REV. A : REAR ELEVATION CORRECTED

JAN 2013

JOB: Proposed Residential  
Development off  
Moden Close / Vale Street  
Upper Gornal

TITLE: House Type A  
Plans & Elevations

CLIENT: CAMERON

SCALE: 1:100 @ A3

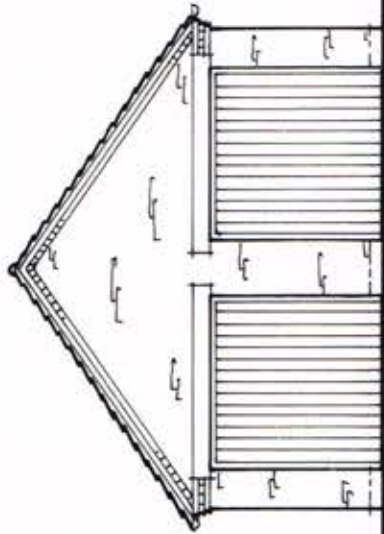
DATE: DEC 2012

DRAWN: KJS

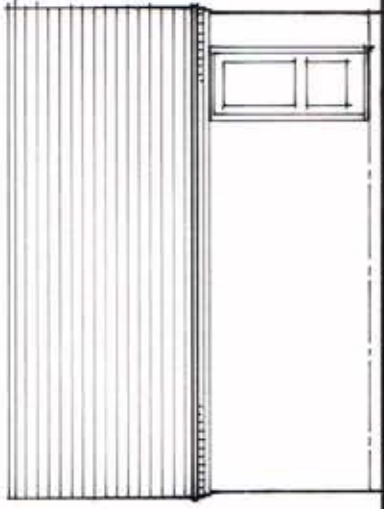
DRAWING No. MOD/003A

**KJS** Residential Design Services

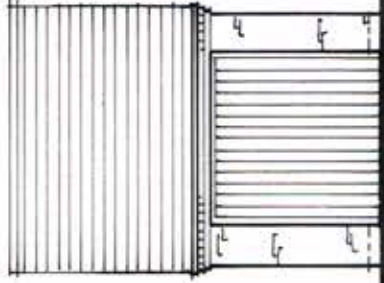
11 PERTON BROOK VALE, WIGHTWICK, WOLVERHAMPTON, WV6 8DS  
Tel: 01902 761072 Mob: 07963 700224  
E-mail: shakespeare@blueyonder.co.uk



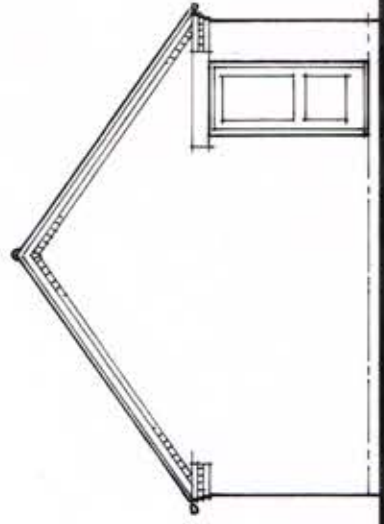
FRONT ELEVATION



SIDE ELEVATION



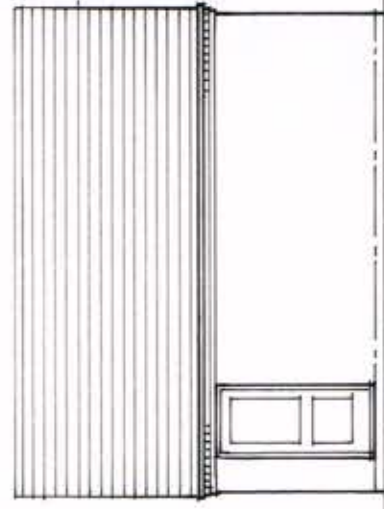
FRONT ELEVATION



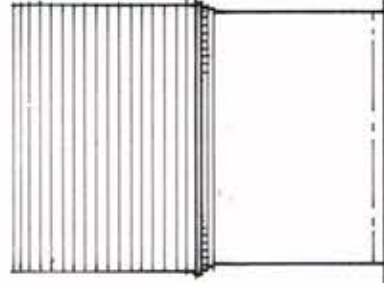
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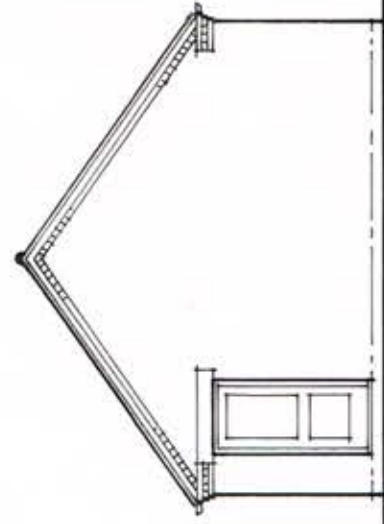
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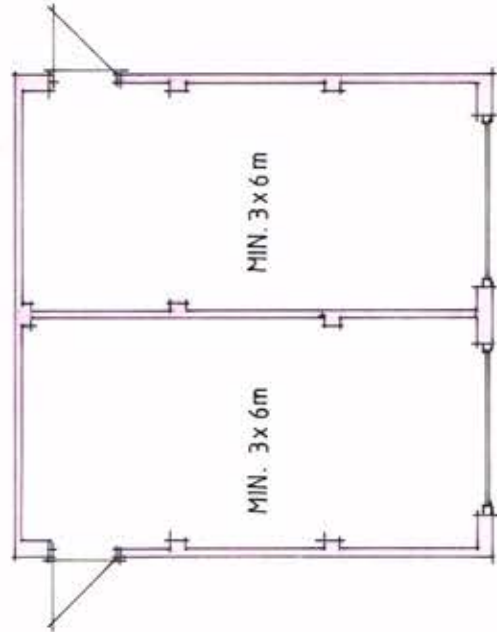
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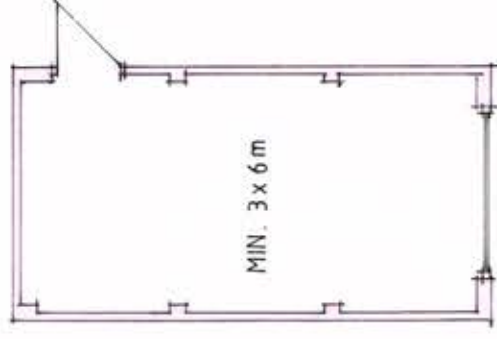
REAR ELEVATION



SIDE ELEVATION



PLAN



PLAN



JOB: Proposed Residential Development off Moden Close / Vale Street Upper Gornal

TITLE: Garages Plans & Elevations

CLIENT: CAMERON

SCALE: 1:100 @ A3

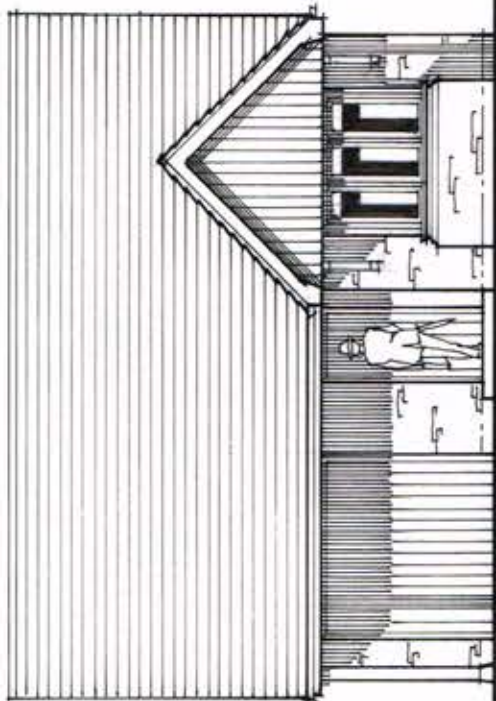
DATE: DEC 2012

DRAWN: KJS

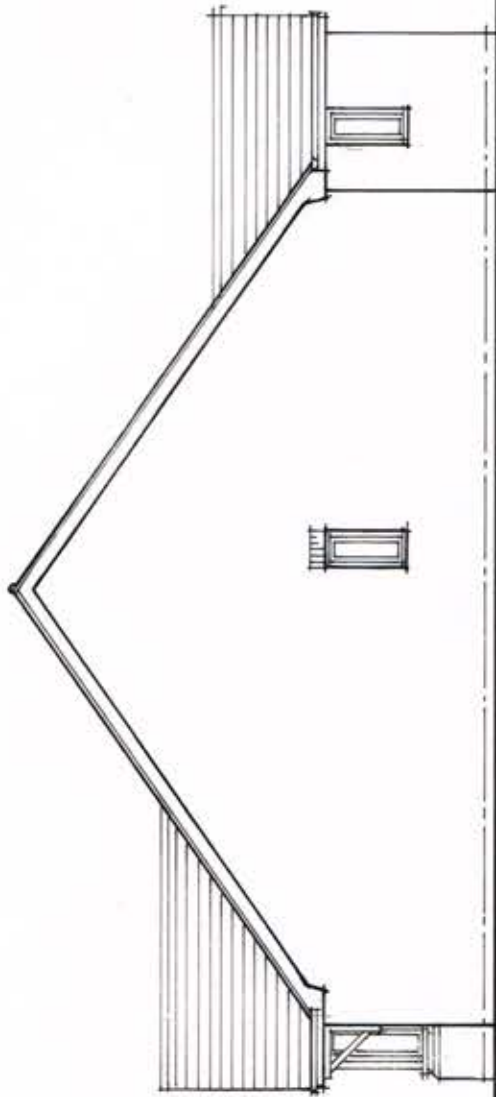
DRAWING No. MOD/008

**KJS Residential Design Services**

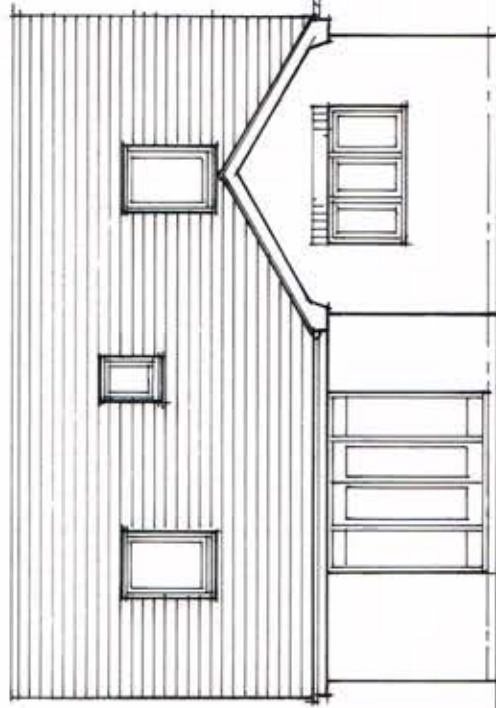
11 PERTON BROOK VALE, WIGHTWICK, WOLVERHAMPTON, WV6 8DS  
 Tel: 01902 761072 Mob: 07963 700224  
 E-mail: [shakespeare@blucyonder.co.uk](mailto:shakespeare@blucyonder.co.uk)



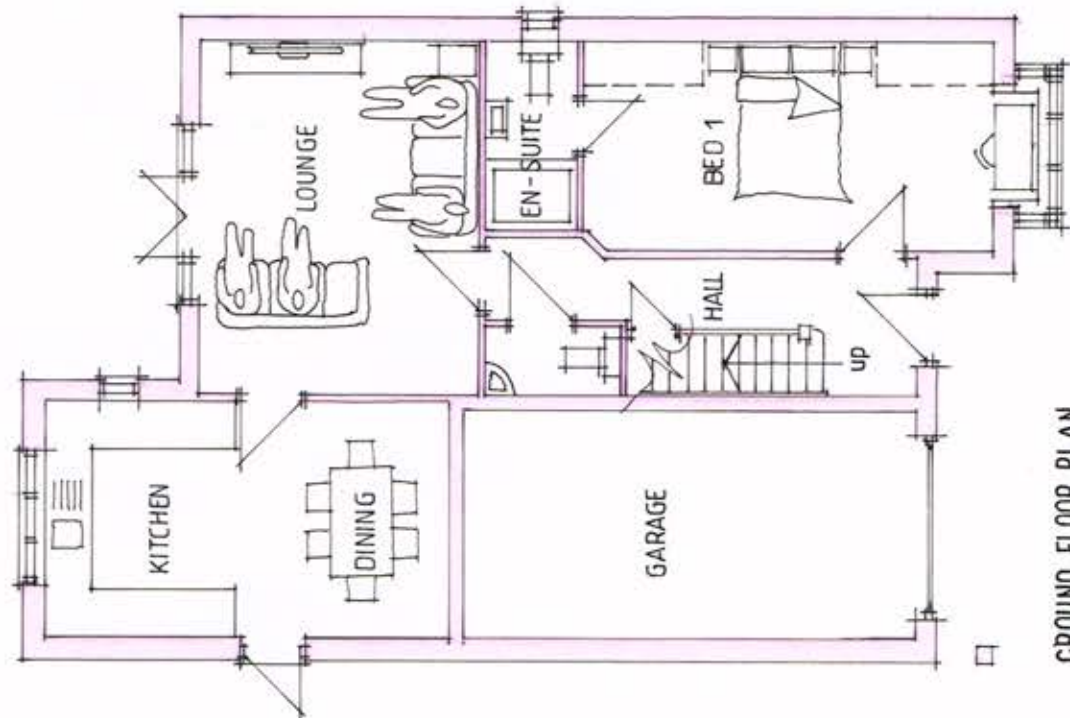
FRONT ELEVATION



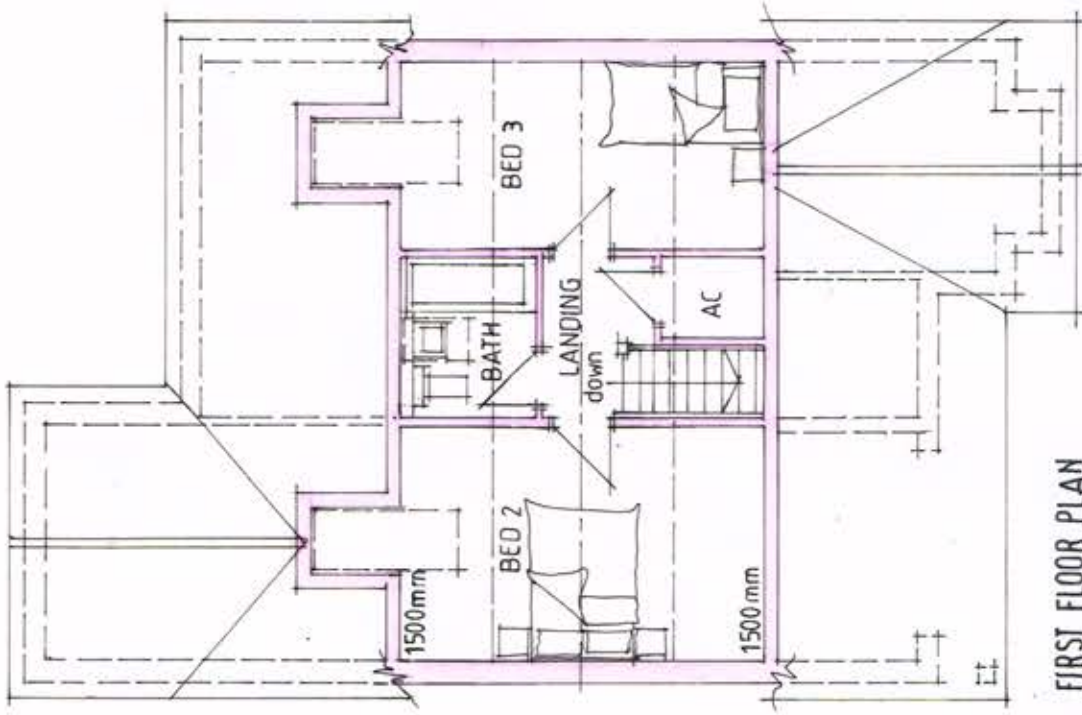
SIDE ELEVATION



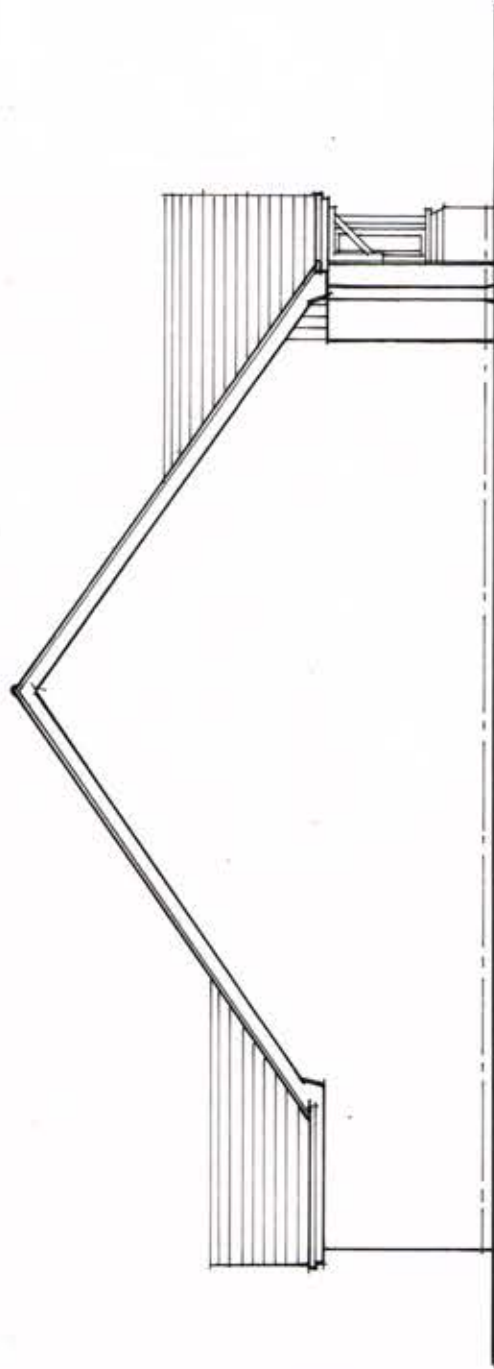
REAR ELEVATION



GROUND FLOOR PLAN



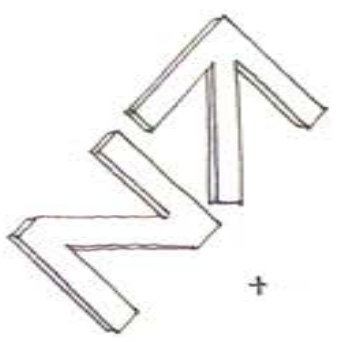
FIRST FLOOR PLAN



SIDE ELEVATION

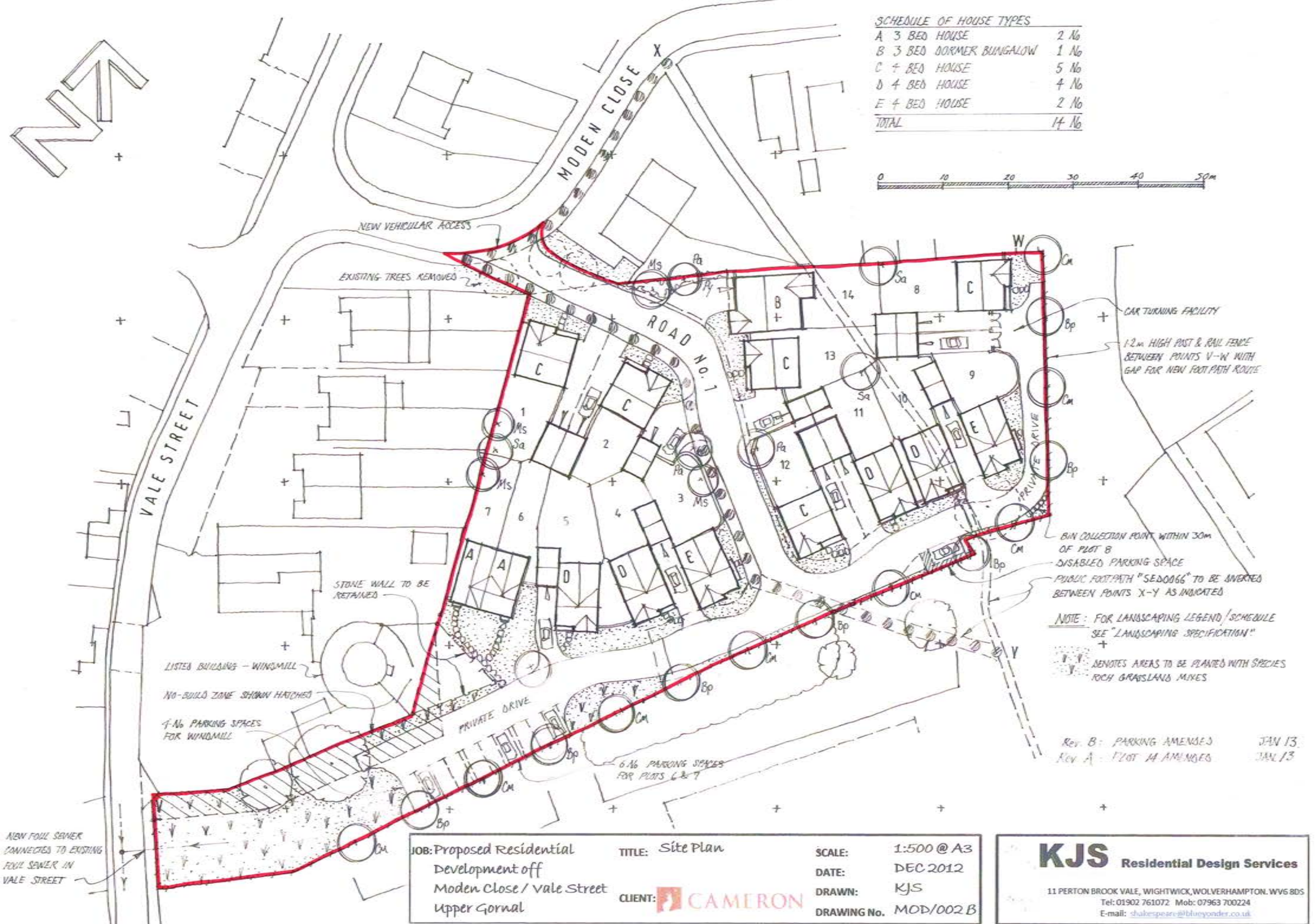
**KJS Residential Design Services**  
 11 PERTON BROOK VALE, WIGHTWICK, WOLVERHAMPTON, WV6 8DS  
 Tel: 01902 761072 Mob: 07963 700224  
 E-mail: [shakespeare@blueyonder.co.uk](mailto:shakespeare@blueyonder.co.uk)

JOB: Proposed Residential Development off Moden Close / Vale Street Upper Gornal  
 TITLE: House Type B Plans & Elevations  
 CLIENT: CAMERON  
 SCALE: 1:100 @ A3  
 DATE: DEC 2012  
 DRAWN: KJS  
 DRAWING No. MOD/004



**SCHEDULE OF HOUSE TYPES**

A	3 BED HOUSE	2 No
B	3 BED DORMER BUNGALOW	1 No
C	4 BED HOUSE	5 No
D	4 BED HOUSE	4 No
E	4 BED HOUSE	2 No
<b>TOTAL</b>		<b>14 No</b>



CAR TURNING FACILITY  
 1.2m HIGH POST & RAIL FENCE BETWEEN POINTS V-W WITH GAP FOR NEW FOOTPATH ROUTE

BIN COLLECTION POINT WITHIN 30m OF PLOT 8  
 DISABLED PARKING SPACE  
 PUBLIC FOOTPATH "SE00066" TO BE INVERTED BETWEEN POINTS X-Y AS INDICATED

NOTE: FOR LANDSCAPING LEGEND/SCHEDULE SEE "LANDSCAPING SPECIFICATION"  
 +  
 y y DENOTES AREAS TO BE PLANTED WITH SPECIES RICH GRASSLAND MIXES

Rev. B: PARKING AMENGES JAN 13  
 Rev. A: PLOT 14 AMENGES JAN 13

NEW FOUR SEWER CONNECTED TO EXISTING FOUR SEWER IN VALE STREET

STONE WALL TO BE RETAINED  
 LISTED BUILDING - WINDMILL  
 NO-BUILD ZONE SHOWN HATCHED  
 4 No PARKING SPACES FOR WINDMILL

6 No PARKING SPACES FOR PLOTS 6 & 7

<b>JOB:</b> Proposed Residential Development off Moden Close / Vale Street Upper Gornal	<b>TITLE:</b> Site Plan	<b>SCALE:</b> 1:500 @ A3
	<b>CLIENT:</b> CAMERON	<b>DATE:</b> DEC 2012
		<b>DRAWN:</b> KJS
		<b>DRAWING No.:</b> MOD/002 B

**KJS Residential Design Services**

11 PERTON BROOK VALE, WIGHTWICK, WOLVERHAMPTON, WV6 8DS  
 Tel: 01902 761072 Mob: 07963 700224  
 E-mail: shakespeare@blueyonder.co.uk