

# PLANNING APPLICATION NUMBER:P08/1544/E1

|                         |  |
|-------------------------|--|
| Type of approval sought | Full Planning Permission   |
| Ward                    | ST THOMASS   |
| Applicant               | Mrs Jacqueline Matty   |
| Location:               | <b>3, BIRMINGHAM STREET, DUDLEY, DY2 7AJ</b>   |
| Proposal                | <b>EXTENSION OF TIME OF PREVIOUSLY APPROVED APPLICATION P08/1544 (CONVERSION OF EXISTING OFFICES INTO 8 NO. APARTMENTS AND ERECTION OF 3 NO. TOWNHOUSES)</b> |
| Recommendation Summary: | <b>APPROVE SUBJECT TO CONDITIONS</b>   |

## SITE AND SURROUNDINGS

1. The site has an irregular shape, and lies at the junction of Birmingham Street and Bourne Street. It contains a two storey flat roofed brown brick building formerly used as offices and a photographic studio which is currently vacant, with a disused warehouse building to the rear, with the sides open at the top and a metal roof. The vehicular access to the site is from Bourne Street, through a narrow opening between the office building and the adjacent residential terrace. The site slopes up from Bourne Street towards the bus station, with the access road, car park and warehouse building being atop a retaining wall at the boundary of the site.
2. The site lies adjacent to residential development and Dudley bus station, with commercial premises opposite on Birmingham Street, and the presbytery to St. Joseph's church in St. Joseph's Street to the east.
3. The site has an area of 0.08 hectares.

## PROPOSAL

- The full planning application proposes the conversion of the office/studio building into 8 apartments, ( 5 x 1 bed apartment, 3 x 2 bed apartment), the demolition of the warehouse building and its replacement with three town houses. Each of the houses would have 3 bedrooms. Access would be from Bourne Street for the flats and from St Joseph Street for the proposed houses.
- The application was submitted with an archaeological survey, air quality assessment and a design and access statement.

## HISTORY

| <b>APPLICATION No.</b> | <b>PROPOSAL</b>   | <b>DECISION</b>          | <b>DATE</b> |
|------------------------|---|--------------------------|-------------|
| P01/2176               | Change of Use from Office/Photographic Studio And Vacant Building To Residential Use.                                   | Granted                  | 23/06/03    |
| P07/0709               | Conversion of existing photographic studio into 8 No apartments and erection of 4 No townhouses (outline)(siting design | Refused                  | 23/05/2007  |
| P08/1544               | Conversion of existing offices into 8 no. apartments and erection of 3 no. townhouses                                   | Approved with conditions | 12/01/09    |

- Planning application P01/2176 for conversion of the office building on the corner of Birmingham Street and Bourne Street is similar to the present conversion proposal.

## PUBLIC CONSULTATION

7. The application was advertised by way of neighbour notification letters being sent to the occupiers of 28 properties within close proximity of the site and the display of a site notice. The consultation period expired on the 16<sup>th</sup> March 2012. Three letters of objection have been received and a petition signed by 23 local residents. The following material planning considerations have been raised:

- Overshadowing
- Overlooking
- Loss of Privacy
- Design and Appearance
- Layout and Density
- Traffic Generation
- Noise and Disturbance
- Lack of visitor parking
- Boundary treatment and proposed dwellings would be overbearing

## OTHER CONSULTATION

8. Head of Environmental Health and Trading Standards: No objection subject to conditions relating to contaminated land.
9. Group Engineer (Development): No objection.

## RELEVANT PLANNING POLICY

### National Planning Guidance

10. The National Planning Policy Framework as published and came into immediate effect on the 27<sup>th</sup> March 2012.

### Black Country Joint Core Strategy

- The Vision
- Sustainability Principles
- The Spatial Objectives
- CSP1 The Growth Network
- CSP4 Place Making
- DEL1 Infrastructure Provision
- HOU2 Housing Density, Type and Accessibility
- CEN1 The Importance of the Black Country Centres for the Regeneration Strategy
- CEN4 Regeneration of Town Centres
- ENV 2 Historic Character and Local Distinctiveness
- ENV 3 Design Quality

#### Unitary Development Plan

- DD1 Urban Design
- DD4 Development in Residential Areas
- CR13 Residential Development in Centres
- DTC2(xv) Block 25 - Bourne Street/Castle Hill
- HE3 Castle Hill Special Landscape Heritage Area
- HE4 Conservation Areas
- HE6 Listed Buildings
- HE11 Archaeology and Preservation

#### Supplementary Planning Guidance/Documents

- Dudley Town Centre Area Development Framework
- Historic Environment Supplementary Planning Document
- New Housing Development Supplementary Planning Document
- Planning Obligations Supplementary Planning Document
- PGN3. New housing development
- PGN 12. The 45 degree code
- Draft Refresh Parking Standards Supplementary Planning Document

### Key Issues

- Principle
- Changes in National Planning Policy
- Changes to the Development Plan
- Implications of Changes in Policy Context
- Planning Obligations
- New Homes Bonus
- Changes to the local environment

### Principle

11. The Government brought into force extensions to the time limits for implementing existing planning permissions on 1 October 2009 via the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009 (SI 2009 No. 2261). The measure has been introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve. The determining issues are whether there have been significant changes in planning policy or changes to the form or character of the local environment since the previous approval so as to provide sufficient justification for the Local Planning Authority to consider it no longer appropriate that the scheme can potentially be implemented.
12. 'Greater flexibility for planning permissions' guidance was published by the Communities and Local Government in 2009 to provide practical guidance on using the measures that were introduced by Government following consultation on Greater Flexibility for Planning Permissions. Paragraph 23 of this guidance document states that:

‘LPAs should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly. The development proposed in an application for extension will by definition have been judged to be acceptable in principle at an earlier date. While these applications, should of course, be determined in accordance with s.38(6) of the Planning and Compulsory Purchase Act 2004, LPAs should, in making their decisions, focus their attention on development plan policies and other material considerations (including national policies on matters such as climate change) which may have changed significantly since the original grant of permission.’

13. The ‘Greater flexibility for planning permissions’ guidance confirms that LPAs do not have to grant applications to extend the time limits for implementation but that such applications should only be refused where changes in the development plan or other relevant material considerations indicate that the proposal should no longer be treated favourably.

#### Changes in National Planning Policy

14. The National Planning Policy Framework (NPPF) was published and came into immediate effect on the 27<sup>th</sup> March 2012.
15. Central to the NPPF with respect to decision making is a presumption in favour of sustainable development meaning that:
  - Development proposals should be approved that accord with the development plan without delay; and
  - Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
    - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
    - Specific policies in this Framework indicate development should be restricted.

16. Paragraph 51 of the NPPF has specific relevance to these proposals stating that:

‘Local planning authorities should...bring back into residential use empty housing and buildings...They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area...’

#### Changes to the Development Plan

17. Following the emergence of the NPPF, the Local Planning Authority is in a strong position with respect to having an up-to-date development plan. This is in the context of the adopted Black Country Core Strategy (BCCS) (February 2011).
18. The preparation of the Council's Development Strategy DPD is underway and will provide detail on delivering the vision of the adopted Black Country Core Strategy (2011) providing site specific allocations for a variety of uses, as well as detailed development strategies for the Regeneration Corridors identified in the Borough. The Development Strategy DPD will be a planning policy document against which decisions on planning applications will be made for the period 2014 to 2026.
19. Whilst the Development Strategy DPD is being produced, existing documents forming part of the Local Development Framework, including saved Policies of the Dudley Unitary Development Plan (DD1 and DD4), the New Housing Development SPD and its older sister document, PGN3, provide a robust policy framework in which to consider new housing developments against.
20. In line with the NPPF, the BCCS's overarching vision and strategy views the delivery of sufficient sustainable housing growth through creating sustainable communities and environmental transformation as being at the corner stone of the whole strategy along with the development of previously developed land.
21. The site is located within the Growth Network falling within Regeneration Corridor 11a (Dudley-Brierley Hill) of the BCCS. The Growth Network is to be the main focus

for growth, regeneration and land use change including the creation of sustainable housing growth. Policy CSP1 is relevant, which states that 'By 2026, the network of Regeneration Corridors linking the Strategic Centres will provide...35,000 new homes in sustainable communities built on redundant employment land and other brownfield sites close to existing public transport routes and canal networks and locations with the best access to residential services, at moderate densities that allow for a range of house types.'

22. BCCS policy HOU2 'Housing Density, Type and Accessibility' sets out the objectives for density and types of new housing, promoting the need to achieve high quality design and minimise amenity impacts, taking into account the characteristics and mix of uses in the area where the proposal is located.
23. BCCS policies CSP4 'Place Making', ENV2 'Historic Character and Local Distinctiveness' and ENV3 'Design Quality' requires that all development demonstrates a clear understanding of historic character and local distinctiveness and demonstrates how proposals make a positive contribution to place-making and environmental improvement through high quality design.
24. Saved policies DD1 and DD4 of the Dudley Unitary Development Plan, the New Housing Development SPG and PGN3 seek to ensure that new development applies principles of good urban design making a positive contribution to the character and appearance of the area, ensuring that the scale, nature and intensity of use of the proposed development would be in keeping with the surrounding area and that the proposed development would not result in a detrimental effect upon highway safety.
25. A number of UDP policies that the original scheme was assessed against have been extinguished and replaced with more up to date policies within the BCCS. Those UDP policies listed in the relevant planning policies section of this report have been authorised by the Secretary of State to remain extant and remain relevant to the consideration of the current application.



26. The 'old' and currently adopted Parking Standards and Travel Plans SPD was based upon PPG13. The 'old' parking SPD was based on 'old' national policy which now no longer exists. The emerging SPD is consistent with the local standards approach within the NPPF.
27. The NPPF also states that weight should be given to emerging SPD,s and DPDs depending on where they are in the process (Appendix, P48) when determining planning applications. In light of this, all planning applications submitted to the Council to which parking standards are required to be decided, should now be based on the new emerging SPD.

#### Implications of changes to the policy context

28. The publication of the NPPF puts further weight towards the support of this planning application submission through stating that Local Planning Authorities should support proposals that involve the conversion of buildings into residential use. Similarly, the adoption of the BCCS further supports the extension of time application recognising the importance of the delivery of new housing development within Regeneration Corridors as contributing towards the sustainable housing growth in the interests of the Regeneration of the Black Country.
29. The more detailed design policies inherent within the BCCS (HOU2, CSP4, ENV2 and ENV3) with respect to the design of new housing developments complement and mirror the saved policies within the Dudley Unitary Development Plan. In this regard, the planning policy context by which the proposed layout of the site, including the siting of the buildings, the separation distances between adjoining properties and space standards within the site and the appearance of the dwellings has not changed since consideration of the previous scheme.
30. Whilst the concerns and objections raised by a number of local residents are noted with respect to extending the time for the implementation of the planning permission, there have not been sufficient changes to the development plan or other material considerations to indicate that the proposed development should be refused with

respect to its design, layout and external appearance. The proposed development accords with the development plan and other material considerations.

31. The external appearance of the dwellings would be appropriate having regard to the context of the site being a significant improvement in terms of design, scale and materials from the existing situation thereby enhancing the Conservation Area and the area generally. The conversion of the former photographic studio into flats and the erection of the 3 new dwellings would be acceptable in terms of neighbour amenity and occupier amenity.
32. In terms of parking, the approved scheme would provide 8 no. spaces for the 8 no. apartments and 2 no. spaces for each of the three dwellings. The parking provision associated with the 2008 scheme was in accordance with the Council's current parking standards at the time. The new emerging Parking Standards SPD puts forward parking standards having regard to local characteristics in accordance with NPPF.
33. The emerging Parking Standards SPD does increase the required parking provision for the proposed development. The approved scheme would have provided a total of 16 unallocated parking spaces for 11 dwellings. The emerging Parking Standards SPD would require the provision of a minimum of 17.01 unallocated spaces (6.3 spaces for 5 no. 1 bed apartments, 4.41 spaces for 3 no. 2 bed apartments and 6.3 spaces for 3 no. 3 bed dwellings with a 1.05 adjustment since the site falls within St James's ward). The parking layout would need to include 1 disabled space and secure and undercover cycle storage for 11 cycles. The original parking layout shows the provision of one disabled space and provision for cycle parking. Since the proposed development needs to provide less than 20 car parking spaces, an electric vehicle charging point would not be required.
34. The proposed development would therefore be deficient by 1.01 spaces when compared to the minimum parking standards as sought by the emerging Parking SPD. A slight shortfall in parking for this part of the scheme must be balanced

against the fact that the proposed development would involve the conversion of a vacant commercial building into residential use (Paragraph 51) whereby the NPPF says that such applications should normally be approved and at Paragraph 32, the NPPF goes on to state that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

35. No objection was raised to the original scheme in 2008 by Group Engineer (Development) on highway safety grounds and the provision of 16 unallocated parking spaces was considered sufficient at the time to meet the needs of the development. The site is located in an extremely sustainable location immediately adjoining the bus station. It should be recognised that the NPPF has a presumption in favour of sustainable development as well as stating that in setting local parking standards for residential development that Local Planning Authorities should take into account the accessibility of the development and the availability of and opportunities for public transport. It should also be noted that in terms of traffic generation the proposed development would generate fewer trips than the presently authorised development. Moreover, the authorised use of the site would potentially attract HGV movements which need to access the site via unsuitable residential streets.

36. The benefits of allowing the proposed development (conversion of vacant building back into beneficial use, provision of new housing within the town centre that would enhance the appearance of the Conservation Area) outweighs the fact that the development would be slightly short of the minimum parking requirement as set out by the emerging parking SPD against the background that the current authorised use would generate significantly more trips than the proposed use.

#### Planning Obligations

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

38. 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.
39. The obligations potentially triggered according to the Planning Obligations SPD are Education, Libraries, Open Space, Sport and Recreation, Economic and Community Benefit, Nature Conservation, Public Realm and Public Art.
40. In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations, in particular Regulation 122, have been applied to ensure that the application is treated on its own merits:
- (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.
41. Following consideration of the above tests the following planning obligations are required for this application:

On-Site Provision (to be secured by condition)

- Economic and Community Benefit - Local Employment Strategy
- Nature Conservation Enhancements to an equivalent value of £416

42. 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.
43. This development complies with the requirements of BCCS Policy DEL1 and the Planning Obligations SPD.

44. The applicant has at the time of writing not agreed to the payment of these onsite planning obligations.

#### New Home Bonus

45. 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. A “local finance consideration” means a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown. This 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 Community Infrastructure Levy.
46. 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.
47. The Bonus will sit alongside the existing planning system and 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.
48. Whilst the clause makes it clear that local finance matters are relevant to planning considerations can be taken into account, it 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”.
49. This proposal would provide 11 houses generating a grant payment of 11 times the national average council tax for the relevant bands.

50. 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.

#### Changes to the local environment

51. There have been no substantially material changes in the local environment which could affect the implementation of the proposal since the permission was issued in 2008: the site remains unaltered and there has been no new development on the adjoining sites.

### CONCLUSION

52. There have been a number of key policy changes since consideration of the original development, the publication of the NPPF, the adoption of the BCCS, the adoption of the Planning Obligations SPD and the publication of emerging Parking Standards draft SPD providing local parking standards for the Borough.
53. Policies have not changed with respect to how the Local Planning Authority assesses the suitability or otherwise of a proposed housing development in terms of the layout of a site, the separation distances afforded between the new and existing development and the appearance of development. In this regard, it would not be reasonable to suggest that the proposed development would have an adverse impact upon the residential amenity of the occupiers of nearby properties or would have an adverse impact upon the character and appearance of the area.
54. The policy context to emerge from the publication of the NPPF and BCCS supports the extension of time application further with a presumption in favour of sustainable development that accords with the development plan, stating that the conversion of existing commercial buildings into residential use should normally be approved and that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
55. The proposed development would merely be 1.01 parking spaces short of meeting the minimum standard as set out within the emerging local parking standards document. The lack of one space to meet this standard would not result in severe

highway safety concerns to warrant the refusal of planning permission. In addition, it should be noted that the draft residential parking standards within the emerging SPD does not have regard to the accessibility of the site or the availability of and opportunities for public transport. Paragraph 39 of the NPPF states that local parking standards should have regard to these aspects. The site is located within the town centre and immediately adjoins the bus station. The sustainable and central location of the site is sufficient to allow a slight reduction in the minimum parking requirement given its central location.

56. Planning Obligations can be secured by condition, with nature conservation enhancements being provided on site to the equivalent of the off-site value and a condition can be attached to require the submission and approval of a local employment strategy in the interests of economic and community benefits.

## RECOMMENDATION

57. It is recommended that the application be approved, that the conditions attached to the previous scheme are replicated, with additional conditions attached to secure the submission of a local employment strategy, on-site nature conservation enhancements, approved plans conditions, amended contaminated land conditions and amendments to the cycle parking condition. The Grampian condition relating to the submission of a S106 Legal Agreement should be deleted.

### Reason for approval

There have been a number of key policy changes since consideration of the original development, the publication of the NPPF, the adoption of the BCCS, the adoption of the Planning Obligations SPD and the publication of emerging Parking Standards draft SPD providing local parking standards for the Borough.

Policies have not changed with respect to how the Local Planning Authority assesses the suitability or otherwise of a proposed housing development in terms of the layout of a site, the separation distances afforded between the new and existing development and the appearance of development. In this regard, it would not be reasonable to suggest that the

proposed development would have an adverse impact upon the residential amenity of the occupiers of nearby properties or would have an adverse impact upon the character and appearance of the area.

The policy context to emerge from the publication of the NPPF and BCCS supports the extension of time application further with a presumption in favour of sustainable development that accords with the development plan, stating that the conversion of existing commercial buildings into residential use should normally be approved and that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

The proposed development would merely be 1.01 parking spaces short of meeting the minimum standard as set out within the emerging local parking standards document. The lack of one space to meet this standard would not result in severe highway safety concerns to warrant the refusal of planning permission. In addition, it should be noted that the draft residential parking standards within the emerging SPD does not have regard to the accessibility of the site or the availability of and opportunities for public transport. Paragraph 39 of the NPPF states that local parking standards should have regard to these aspects. The site is located within the town centre and immediately adjoins the bus station. The sustainable and central location of the site is sufficient to allow a slight reduction in the minimum parking requirement given its central location.

Planning Obligations can be secured by condition, with nature conservation enhancements being provided on site to the equivalent of the off-site value and a condition can be attached to require the submission and approval of a local employment strategy in the interests of economic and community benefits.

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

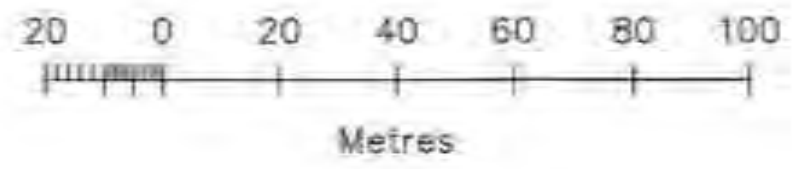


Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No part of the development hereby permitted shall be commenced until detailed plans and sections showing existing site levels and finished floor levels of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.
3. No part of the development hereby permitted shall be commenced until a schedule of all materials to be used on the walls and roofs of the new dwellings 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.
4. 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 District 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 that 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.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no development covered by Schedule 2, Part 1, Class A, Class B, Class C or Class E shall be carried out without planning permission granted by the District Planning Authority.
6. The windows to the north (side) elevation of the dwelling on plot 2 of the development hereby permitted shall be non-opening and glazed with obscure glass which shall thereafter be retained for the life of the development.
7. Development shall not begin until a scheme for protecting the proposed building from noise from traffic using Birmingham Street has been submitted to and approved in writing by the local planning authority, and all works which form part of the scheme shall be completed before the buildings are occupied and shall be retained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
8. No part of the development hereby permitted shall be occupied until parking and turning space has been laid out in accordance with details shown on the approved plans. The parking and turning space shall thereafter be made available at all times and shall be retained for the life of the development.
9. Prior to the commencement of development, details shall be submitted of secure and undercover parking provision in accordance with the Council's emerging

parking standards. Following approval, the cycle parking shall thereafter be made available at all times and shall be retained for the life of the development.

10. No works of construction, levels changes, regarding or other site clearance or infrastructure works involving ground disturbance shall begin until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the local planning authority such archaeological work to comprise suitably targeted excavation/watching brief with appropriate provision for archaeological investigation and recording and including subsequent analysis, reporting and archiving.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no pedestrian access or gateway or any other form of access shall be provided onto Birmingham Street without the express grant of planning permission.
12. Plots, 2, 3 and 4 shall not be first occupied until a fence has provided along the Birmingham Street Boundary in accordance with the details shown on plan no. 3560-PL-003D. The fence shall thereafter be retained for the life of the development.
13. Prior to the commencement of development, a local employment strategy shall be submitted and approved in writing to the Local Planning Authority. The scheme shall be implemented in accordance with the approved local employment strategy and retained in accordance with the strategy for the lifetime of the development.
14. Prior to the commencement of development, details shall be submitted and approved in writing by the Local Planning Authority of a nature conservation enhancement scheme. The development shall be implemented in accordance with the approved scheme and retained for the lifetime of the development.
15. 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.
16. Where the approved risk assessment (required by CL01a) 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.
17. Unless otherwise agreed in writing with the LPA, the approved scheme (required by CL01b) 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.
18. The development hereby permitted shall be carried out in accordance with the following approved plans: 1116/W10, 1116/W11, 3560-LOC-003D, 3560-PL-401D, 402D, 403D, 404D, 501C and 502C.



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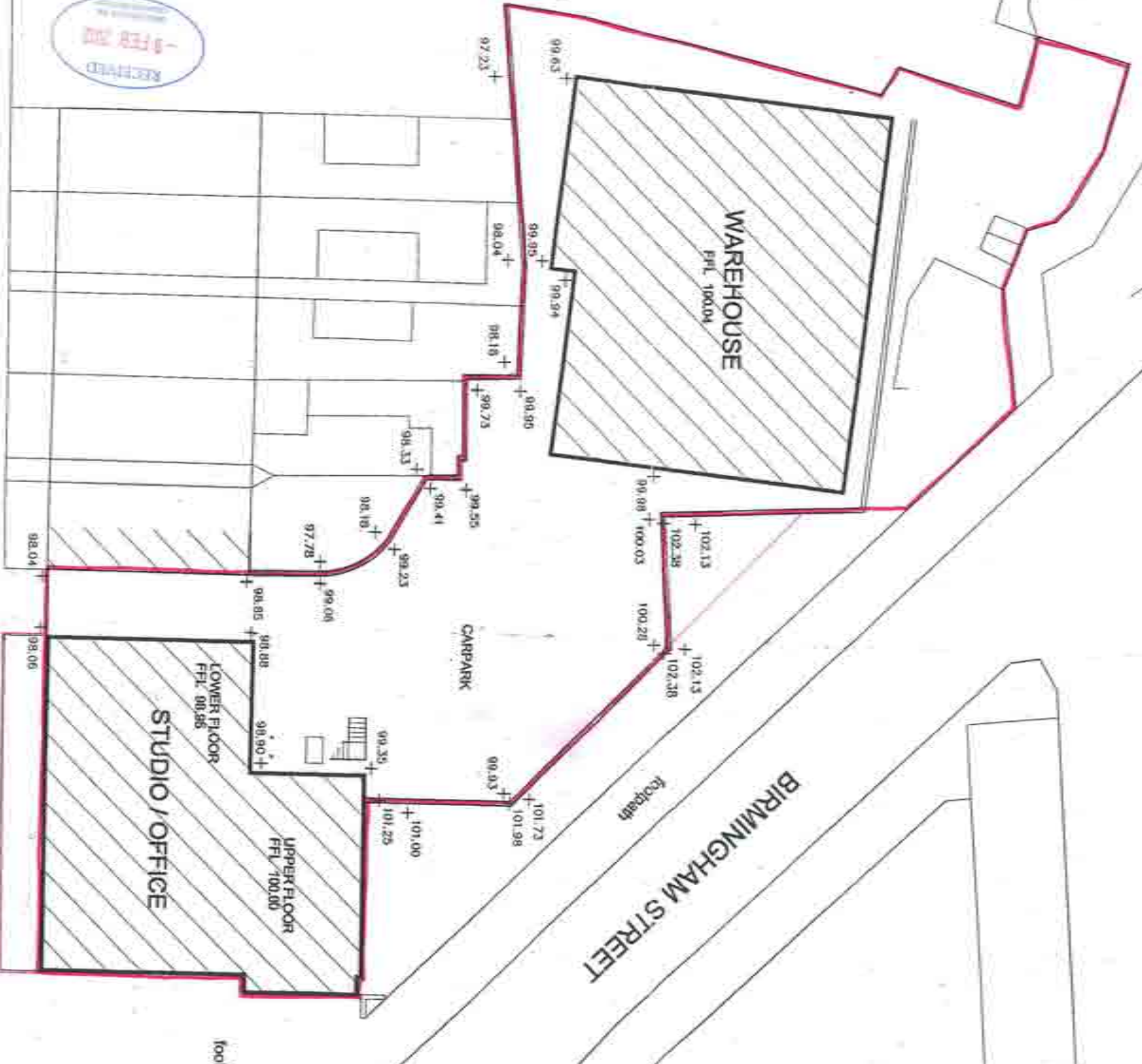
Adrian Hutt Architects UK 2000

Mrs Matty  
Town Houses  
DUDLEY

SITE LOCATION  
PLAN

|         |         |
|---------|---------|
| Drawn   | Drawn   |
| Checked | Checked |

3560-LOC-001



BOURNE STREET

BIRMINGHAM STREET

GATEHOUSE FOLD

STUDIO / OFFICE

WAREHOUSE

LOWER FLOOR

UPPER FLOOR

CARPARK

footpath

footpath

foot