

PLANNING APPLICATION NUMBER: P14/0560

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	Head of Economic Development, Dudley MBC
Location:	LAND BETWEEN DUDLEY BLACK COUNTRY LIVING MUSEUM AND DUDLEY ZOOLOGICAL GARDENS, DUDLEY, WEST MIDLANDS
Proposal	REVISED ACCESS AND LANDSCAPING PROPOSALS OVER A WIDER AREA RELATIVE TO PREVIOUS APPROVAL P12/1598 TO LINK TO DUDLEY CANAL TRUST
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The site measures 0.5 hectares and comprises of land to the west of the Dudley Canal Trust and to the south of the Birmingham New Road. The site is significantly elevated above the Dudley Canal Trust and Dudley Canal and comprises an existing footpath enclosed by woodland and scrub. The site extends southwards to include part of the former disused railway that lies to the west of the Black Country Living Museum. The northern boundary of the site adjoins Birmingham New Road.
2. The site lies within a central location adjoining the existing tourist attractions of the Dudley Zoological Gardens located to the south-west, the Black Country Living Museum located to the south-east and the Dudley Canal Trust located to the north-east.
3. The site is located to the north-east of Dudley town centre, approximately 100 metres from the primary retail area. In this regard, the site has ease of access to the bus station. The site adjoins the strategic highway network (A4123, A4037 and A459), with good access to bus services and accessibility by the private car.

PROPOSAL

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

- To provide a new visitor hub to be staffed at peak times through the Dudley Ambassador scheme and provide visitor information for the three attractions.
 - To create a new entrance into the Zoo.
 - To divert the public right of way into a legible, accessible and pleasant alternative, running alongside a delineated cycle way.
 - To recognise and conserve the site's existing and potential biodiversity, including water courses, linking adjacent habitats within the wider green network.
8. Planning permission was granted in 2012 (P12/1598) for the wider redevelopment of the Castle Hill site. The scheme included the provision of new car parking areas, a recreational route, visitor hub building and new visitor entrance to Dudley Zoological Gardens to serve the existing tourist attractions and to improve the connectivity and physical links between them. Works have commenced on site with the signalised junction off Tipton Road now operating and vehicles using some of the newly created car parking areas.
9. This planning application seeks to amend the original recreational link that was approved as part of P12/1598 into the Dudley Canal Trust. The amended design includes a larger site area extending up to the Birmingham New Road to improve access into the site to overcome physical constraints on the site in terms of the change in levels between the proposed recreational route and Dudley Canal Trust site.
10. The recreational route itself would remain largely unchanged from that originally approved as part of the wider scheme, being 3 metres wide and constructed with a hard anti-slip resin bond surface. The amended scheme would extend the recreational route further towards the north-west to provide a more gradual sloped access into the Dudley Canal Trust. The scheme would now also include a viewing platform off the recreational route, providing views over and down towards Dudley Canal.

11. The proposals would involve the re-grading of the existing land and the erection of a 'webwall' retaining system along much of the western boundary to the recreational route to facilitate the creation of an accessible recreational route, through cut and fill engineering works to link Dudley Canal Trust with the wider Castle Hill development. The webwall retaining system would be of various heights up to a maximum of 2.5m high, to allow the creation of a wild flower seeded face. Bell shaped bollards would be used as an ornamental barrier along parts of the recreational route adjoining the steep bank. The webwall would adjoin a regraded bank to the west and the recreational path to the east. Both sides of the recreational route would be landscaped with forestry planting, wild flower areas, ornamental planting and a small element of mown grass.
12. The planning application has been supported with a suite of detailed plans and technical reports including:
- Planning Statement
 - Ecological Appraisal
 - Masterplan
 - Habitats Plan
 - Ecological Appraisal
 - Land Train Route Cross-Sections
 - Land Train Proposals
 - Planting Proposals

HISTORY

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

P10/0007	Temporary car park consisting of 221 spaces of which 14 are disabled together with approximately 140m of 6m wide access.	Approved with conditions	24/02/10
P12/1005	Provision of 85m length of highway including new roundabout providing link from Tipton Road into Castle Hill development.	Approved with conditions	11/10/2012
P12/1598	Creation of new car park providing 600 parking spaces and coach parking facilities with associated secondary access off the main access road, provision of a surfaced recreational route linking existing tourist attractions, erection of a visitor hub, provision of a new visitor entrance to Dudley Zoological Gardens, associated infrastructure works and diversion of a Public Right of Way	Approved with conditions	12/03/2013
P12/1598/A1	Non material amendment to previous approved application P12/1598	Approved	23/12/2013
P12/1598/A1	Non material amendment to previous approved application P12/1598	Approved	26/03/2014

P12/1598/C1	Discharge of Conditions 11, 19, 20 , 21, 22, 28, 29, 32, 35, 36, 37, 38, 39, 40, 41 & 42	Approved	21/11/2013
P12/1598/C1	Discharge of condition 14	Approved	03/03/2014

PUBLIC CONSULTATION

13. The application was advertised by way of neighbour notification letters being sent to the occupiers of properties that adjoin the site, the placing of an advertisement within the local press and the display of a site notice. The latest date for comments is the 8th May 2014. At the time of writing the report, one letter of support has been received. Any subsequent letters or consultation responses received will be reported in a pre-committee note.

OTHER CONSULTATION

14. Group Engineer (Development): No objections.
15. Head of Environmental Health and Trading Standards: No objections.
16. Canal and River Trust: Comments awaited at the time of writing.
17. The Coal Authority: Comments awaited at the time of writing.
18. Sandwell and Wolverhampton MBC: Comments awaited at the time of writing.

RELEVANT PLANNING POLICY

National Planning Guidance (2012)

19. The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how these are expected to be applied. The NPPF is a

material consideration in planning decisions, but does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved.

20. The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 9 of the NPPF states that:

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

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

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

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

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

23. Technical Guidance to the National Planning Policy Framework

- Circular 11/95 – The Use Conditions in Planning Conditions
- CIL Regulations

Black Country Core Strategy (2011)

- CSP1 – The Growth Network
- CSP3 – Environmental Infrastructure
- CSP4 – Place Making
- DEL1 – Infrastructure Provision
- CEN2 – Hierarchy of Centres
- CEN4 – Regeneration of Town Centres
- TRAN4 – Creating Coherent Networks for Cycle and for Walking
- TRAN5 – Influencing the Demand for Travel and Travel Choices
- EMP5 – Improving Access to the Labour Market
- EMP6 – Cultural Facilities and the Visitor Economy
- ENV1 – Nature Conservation
- ENV3 – Design Quality
- ENV5 – Flood Risk

Dudley Community Strategy 2005-2020

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

Council Plan 2012-2013

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

Unitary Development Plan (2005)

- DD1 – Urban Design
- DD10 – Nature Conservation and Development
- UR10 – Unstable Land
- AM13 – Public Rights of Way
- NC1 – Biodiversity
- NC6 – Wildlife Species
- NC9 - Mature Trees
- NC10 – The Urban Forest
- EP6 – Light Protection

Supplementary Planning Guidance/Documents

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

ASSESSMENT

24. The main issues are

- Principle
- Design, Layout, Landscape and Public Realm
- Nature Conservation
- Trees
- Land Contamination and Ground Stability
- Planning Obligations

Principle

25. The principle of development has already been established by the granting of planning permission in 2012 for the development of this and the wider Castle Hill site (P12/1598). The wider scheme, which would include the proposals subject to this application would form the first phase of a wider project to develop the site in a way

that would assist in the development of the visitor economy of the Borough and in particular an expansion in visitor numbers at the Zoological Gardens, The Black Country Living Museum and The Dudley Canal Trust, as well as facilitating the development and regeneration of Dudley town centre as a centre for entertainment, leisure and recreation.

26. The proposed development would provide new infrastructure to help support and develop the existing tourist facilities within the area. The amended recreational route into the Dudley Canal Trust would represent an improved design to the original scheme forming part of P12/1598, in terms of its accessibility and extending up to the Birmingham New Road. The extension of the infrastructure works up to Birmingham New Road would provide a public face for the development to the road thereby increasing the prominence of the tourist attractions to visitors.
27. Improvements to the original recreational route between the existing attractions (Zoo, Black Country Living Museum) and the Dudley Canal Trust would serve as a basis of enhancing the existing visitor experience and providing a platform for long term improvements in overall visitor numbers and the future expansion of the existing attractions. In this regard, the proposed development would be in accordance with saved Policies UR3 and DTC2 of the Dudley Unitary Development Plan.
28. The proposals would also be consistent with the strategic aims and objectives of the Black Country Core Strategy (BCCS) which seeks to develop the role of Dudley Town Centre as a tourist destination within Regeneration Corridor (RC) 11a and highlight its historic character and assets. Policy CEN4 of the BCCS states that *“it will be important to recognise the special role of Dudley Town Centre....it will also be suitable for the town centres to provide entertainment, leisure and cultural facilities....”* and, within RC11a, Dudley TC is recognised as being enhanced as *“a tourism focus of regional and national repute (based on Black Country Museum, Dudley Zoo, Dudley Castle, Dudley’s geological and heritage assets).....”*

29. Policy EMP6 of the BCCS is also relevant and aligns with the proposed enhancement/expansion of the tourism facilities at this location. That policy states that *“visitor attractions will be developed and enhanced at key destinations to ensure that accessibility is maximised and to continue to raise the quality of the visitor experience throughout the Black Country”.....including “Dudley Town Centre (especially the Zoo and Castle, The Black Country Living Museum”*
30. In addition to the above, the proposed development would support the golden threads of both the Dudley Community Strategy 2005-2020 and the Council Plan 2012-2013 in developing and facilitating the sub-regional focus of Dudley as a centre for leisure and tourism development to help create a prosperous Borough.

Design, Layout, Landscape and Public Realm

31. The amended recreational route leading to the Dudley Canal Trust would provide a recreational route suitable for visitors to the adjoining tourist attractions and a potential land train route set within a landscaped setting. The proposals would involve engineering works to provide a pathway linking land set at a significantly lower level than the upper part of the site. The pathway would involve the creation of a planted retained wall with re-graded bank behind and new forestry planting, ornamental planting and wildflower areas planting alongside the route. The amended scheme would also provide a viewing platform looking towards Dudley Canal. The amended design would result in the creation of a new entrance into the Dudley Canal Trust site that would enhance its presence set within the wider complex of tourist attractions. The scheme would retain the existing public right of way that connects the former railway line with the Birmingham New Road.
32. The amended scheme retains the principles of the landscape design previously approved by P12/1598 with the recreational route set within a landscaped area of native forestry, ornamental and wildflower planting. The proposed development would significantly improve the existing landscape and environment of the existing public right of way providing views over the canal. The amended scheme would improve the visual appearance of site as it adjoins Birmingham New Road providing a backdrop of a green wall of planting and ground cover. The landscape design

would also screen the adjoining industrial units with retained mature trees on the western side of the existing embankment. The proposals would result in the loss of a number of trees, but the loss of these would be compensated by the creation of an enhanced visitor landscape that would be accessible by all.

33. In short, the proposed design and layout of the development would meet a functional need (parking and access) accommodated within a planned landscape setting that resolves long-standing regeneration needs and which would provide a complementary entrance and approach to major tourist attractions within the Black Country from the Tipton Road. The landscaping strategy relating to the wider project and the detailed landscaping scheme forming part of the Dudley Canal Trust entrance would assimilate the development into its surroundings and enable the delivery of a cohesive and comprehensive design. The proposed development would be in accordance with Policies CSP4 and ENV3 of the BCCS and saved Policy DD1 of the Dudley Unitary Development Plan.

Nature Conservation

34. The site is not covered by any statutory designated nature conservation sites. Land adjoining the southern-western part of the site includes part of Peggy's Meadow, which is a non-statutory designated Site of Local Importance for Nature Conservation (SLINC). This site is of nature conservation value due to its unimproved neutral grassland. The site lies within a Wildlife Corridor and a Bat Migration Corridor as identified by the Birmingham and Black Country Nature Conservation Strategy. The SLINC has local importance in terms of its nature conservation value.
35. Whilst the site is not covered by statutory designations, the local and regional importance of the site and the potential impacts of the proposed development upon the existing habitats and species must be considered. It would be important that in accordance with saved Policies DD10, NC1 and NC6 of the Dudley Unitary Development Plan that the proposed development retains habitat of value and does not have an adverse impact upon notable species. Where the removal of habitat is unavoidable then suitable mitigation and enhancement should be included within the proposed development.

36. The site is of some nature conservation value in terms of its habitat and species it supports. The application site comprises a linear area of woodland that follows the line of the dismantled railway. The wooded area is characterised by ash and sycamore with low level plants comprising hawthorn, willow, elder and bramble.
37. The habitat within the site and records with respect to species identify that the site has the potential to be used by bats, badgers and breeding birds. The applicant has submitted an Ecological Appraisal to identify the presence of both important flora and fauna within the site and has assessed the impact of the proposed development upon these species along with proposed mitigation measures.
38. Bats and their places of refuge are protected in the UK under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended). Badgers are protected under the Badger Protection Act 1992.
39. The Ecological Appraisal submitted in support of the proposed development confirms no evidence for the presence of bats. The trees with potential to be impacted by the proposals did not exhibit any significant features that could be used by roosting bats. There are two trees within the site that have potential for bat roosting. The proposed development would result in these trees being felled. The applicant's ecologist considers these impacts to be minor in nature providing appropriate avoidance measures are undertaken to ensure the protection of the bat population.
40. The proposed recreational route would result in a loss of vegetation along the wildlife and bat corridor to accommodate pedestrians and a land train. The proposals would open up the existing woodland habitat. The linear woodland is currently enclosed, dense and provides continuous cover and a dark habitat bats to fly through. The loss of integrity of the linear woodland through it being widened would result in a permanent adverse impact and lighting could have a potential adverse impact upon the bat population.

41. In summary, the proposed development would have an adverse impact upon habitats that are of importance to bats. The impacts of the proposed development upon boundary features are important as the site forms part of a wildlife corridor. The development would result in the loss of tree and scrub habitat that provides an important habitat for the foraging of bats as well as providing a buffer between the application site and the SINC.
42. The proposed development does, however, put forward an overall landscaping scheme that would mitigate against the potential impacts upon bats, which are a protected species. The proposed development of the site could therefore be implemented without having significant adverse ecological impacts. The landscape design of the overall wider project along with this amended scheme would provide additional habitats in the form of trees and species appropriate planting to provide scope to continue to connect habitats within the northern part of the site and the bat migration routes to the east. Mitigation and enhancement features for the species included within the overall planting scheme include the provision of:
- Continuous linear features of forestry planting
 - Limited lighting proposed within the overall development in order to reduce impacts upon the movement of bats.
43. The proposed landscape design for the amended recreational route to the Dudley Canal Trust would maintain a permeable landscape habitat for bats. The incorporation of the mitigation strategy for bats within the overall development would ensure an overall reduction in residual impacts. The proposed development would therefore not have a significant adverse effect on the local bat population. In this regard, the proposed development would be in accordance with saved Policies DD10, NC1 and NC6 of the Dudley Unitary Development Plan.
44. The habitat inherent within Peggy's Meadow and woodland located to the north west of the site provide suitable foraging, commuting and sett construction habitat for badgers. In this regard, the site is of value to badgers. The proposed development would result in an increase in human activity within the site and the loss or disturbance of existing habitats that are suitable for badgers. The latest survey found

no evidence of badgers within the site and therefore further mitigation is not considered appropriate.

Trees

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

Ground Stability

46. The application site falls within an area that was previously subjected to past mining activity and is supported by a Coal Mining Risk Assessment. The site would be subjected to further and continuing ground investigation which includes a small number of rotary open boreholes to identify any coal and/or coal workings which may be within influencing distance of the site and a structural assessment of the existing canal tunnel that runs through the application site.
47. Deep limestone workings beneath the site have been stabilised and there may be coal crops located close to the site. The applicant's advisors consider that it is extremely unlikely that historically they would have jeopardised the safety of the rail network by undermining the site and mined the coal. However, continuing ground investigation will confirm this.

48. Although a rail line originally passed over the canal tunnel this has been abandoned and not operated for many years. The bridge associated with the railway line has been demolished and levels reduced. The proposed development would involve cut and fill to link the proposed recreational route with the Dudley Canal Trust site. Due to the age of the tunnel, an assessment of the integrity of the tunnel will be undertaken to ensure that the proposed development would not result in stability issues. However, any risks have already been greatly reduced due to the demise of the rail network. The proposed mitigation works would ensure compliance with saved Policy UR10 of the Adopted Dudley Unitary Development Plan (2005).

Planning Obligations

49. 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.
50. 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.
51. 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:
- e) necessary to make the development acceptable in planning terms;
 - d) directly related to the development;
 - e) fairly and reasonably related in scale and kind to the development.

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

On-Site Provision (to be secured by condition)

- Nature Conservation Mitigation and Enhancements in accordance with recommendations set out within this report.

53. The detailed landscaping scheme submitted as part of the planning application includes the proposed nature conservation mitigation and enhancement scheme. Subject to a condition ensuring the delivery of the scheme as shown on the submitted drawings, this would ensure its implementation. This would 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.

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

CONCLUSION

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

- the local economy in the form of delivering the first phase of a major development thereby supporting job creation and the expansion of the visitor economy;
- the creation of a good quality development providing additional opportunities for recreational use in the form of walking and cycling thereby supporting the health and well-being of the local community (social role);
- the enhancement of the natural environment through improvements to biodiversity (environmental role).

56. The proposals would form part of a wider project to develop the site in a way that would assist in the development of the visitor economy of the Borough and in particular an expansion in visitor numbers at the Zoological Gardens, The Black

Country Living Museum and The Dudley Canal Trust as well as facilitating the development and regeneration of Dudley town centre as a centre for entertainment, leisure and recreation.

57. The proposed development would facilitate the delivery of shared visitor facilities for the existing tourist attractions in the form of improved linkages between the site for pedestrians and cyclists. The infrastructure would be set within a landscaped environment that would serve to assimilate the proposed development into the surrounding area whilst also ensuring the delivery of ecological mitigation and enhancement.
58. The proposed development would involve the loss of a number of trees and groups of trees. The loss of the trees would not raise visual amenity concerns and the proposed landscaping scheme would include replacement tree planting in the interests of creating a landscaped setting for the site and to retain the integrity of existing wildlife corridors and ecological habitats.
59. The proposed development would result in the loss of some of the existing habitat. Subject to the implementation of the nature conservation enhancement and mitigation scheme forming part of the overall development and conditions to ensure the delivery of a robust landscaping and public realm strategy, the overriding economic regeneration benefits of the development facilitating improvements to the visitor economy in accordance with regional and local planning policy would outweigh any potential harm arising from the scheme.

RECOMMENDATION

60. It is recommended that the application be APPROVED subject to conditions.

APPROVAL STATEMENT INFORMATIVE

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve

technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

CANAL AND RIVER TRUST INFORMATIVE

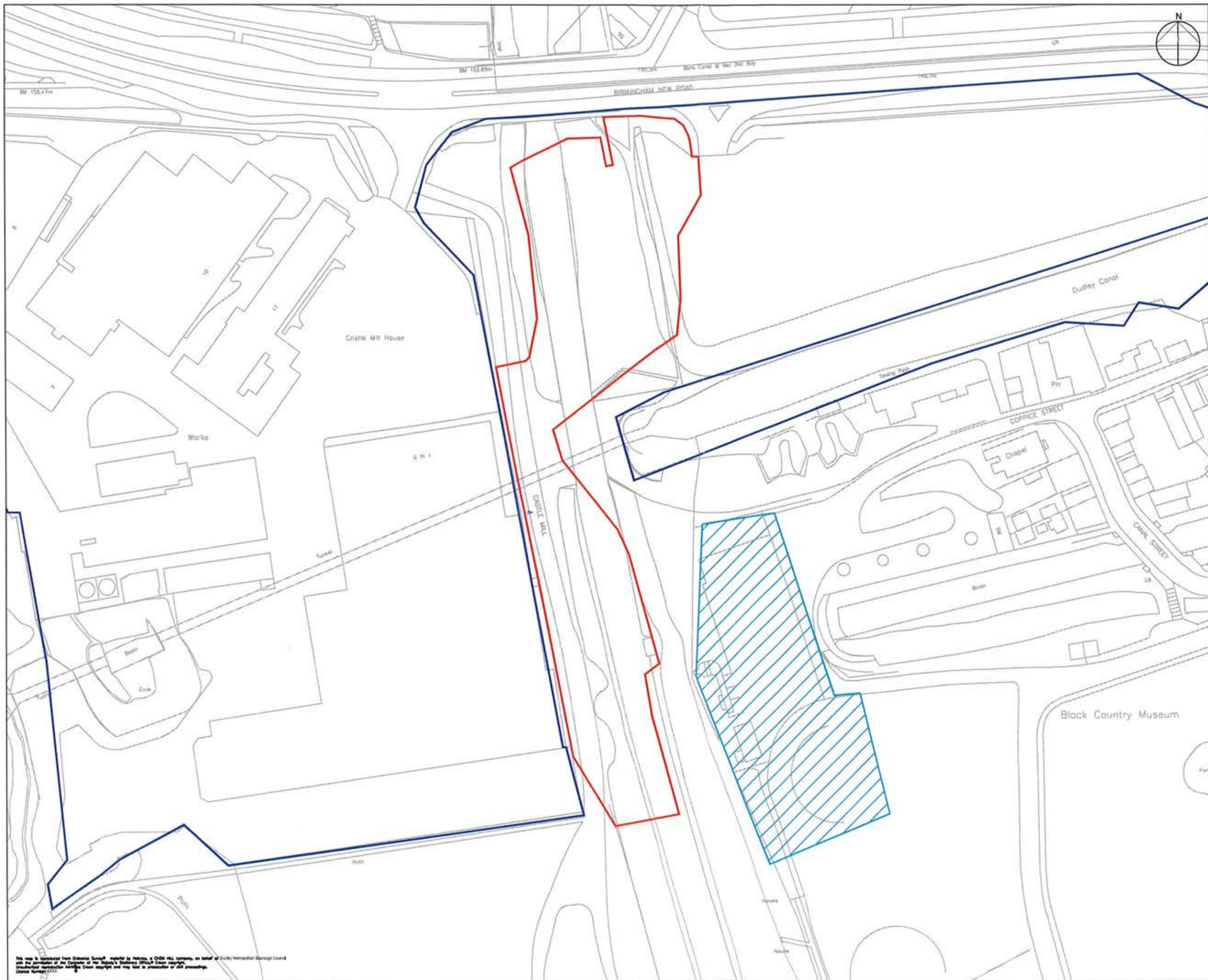
The applicant/developer is advised to contact the Works Engineering Team on 01827 252000 of the Canal and River Trust in order to ensure that any necessary consents are obtained and that the works comply with the Trust's "Code of Practice for Works affecting Canal & River Trust."

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: Figure 1, Rev A, Canal Trust 01 Rev B, Canal Trust 02 Rev A and Canal Trust 04 Rev A.
3. No works should commence, or continue, if the most recent protected species survey and assessment is over 12 months old. These surveys and assessments must be of, or above, the standard detailed within the Nature Conservation SPD. They must include the whole of the site (including appropriate areas adjacent to the site) and be carried out by an experienced and qualified ecological consultant and integrated into a site mitigation plan. All of these must be submitted to and approved in writing by the Council before any works commence (or continue). All works must be carried out in accordance to the approved plan.
4. Before development begins a plan detailing outside lighting will be submitted and approved in writing by the LPA. All works must be carried out in accordance to the approved plan and conform to these requirements for the life of the development. All outside lighting should conform to the Bat Conservation Trust and Institute for Lighting Engineers' guidance 'Bats and lighting in the UK'. It should be close to the ground and directed downwards and away from the surrounding wildlife habitat.
5. Prior to the commencement of development intrusive site investigation works shall be undertaken in order to establish the exact situation regarding the coal mining legacy issues of the site. Should the site investigations confirm the need for remedial works to treat any of the mine entries and/or any areas of shallow mine workings, and/or any other mitigation measures (e.g. gas protection) to ensure the safety and stability of the proposed development, these works should be undertaken prior to the commencement of development.

6. No development shall take place until there has been submitted, and approved in writing by the Local Planning Authority details of the tree protection measures on site. The details shall include:
 - a. A plan showing the location and identification (with reference to a survey schedule if necessary) of all trees on, or directly adjacent to the development site, that are to be retained during construction. These trees are to be marked with a continuous outline.
 - b. A plan showing the location and identification (with reference to a survey schedule if necessary) of all the trees on, or directly adjacent to the development site that are to be removed prior to, or during development. These trees are to be marked with a dashed outline.
 - c. A plan showing the extent of the Root Protection Area, which is to be protected by physical barriers during development. The extent of the area that is to be protected will be calculated in accordance with Clause 4.6 of British Standard BS:5837 – 2012 ‘Trees in Relation to Design, Demolition and Construction– Recommendations’.
 - d. Design details of the proposed protective barriers and ground protection to be erected around the trees during development. Any protection barriers should be designed and constructed in accordance with the provisions set out in section 6.2 of British Standard BS:5837 – 2012 ‘Trees in Relation to Design, Demolition and Construction– Recommendations’.
7. No development or other operations shall commence on site or in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such method statement shall include full detail of the following:
 - Implementation, supervision and monitoring of the approved Tree Protection Plan.
 - Implementation, supervision and monitoring of the approved Treework Specification.
 - Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Plan.
 - Timing and phasing of arboricultural works in relation to the approved development.

8. No development or other operations shall commence on site or in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall commence on site until the approved tree felling and pruning works have been completed. All tree felling and pruning shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998 (2010) Recommendations for Tree Work.
9. All excavations to be undertaken within 6 metres of the stem of existing trees on site shall be undertaken in accordance with NJUG Publication number 10 'Guidelines for the Planning, Installation and Maintenance of Utility Services in proximity to Trees'.
10. No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed service (gas, electricity and telecoms) and foul and surface water drainage layout has been submitted to and approved in writing by the Local Planning Authority. Such layout shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved service/drainage layout.
11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority technical details of any proposed pathway / hard surfacing / driveway / parking area within 3 metres of the outer canopy spread of any existing tree situated on or off the site. The details of the vehicular access and parking areas shall include existing and proposed ground levels, materials to be used and the relative time of construction within the whole development and must be in accordance with appropriate guidelines, namely Clause 7.4 of British Standard BS:5837 – 2012 'Trees in Relation to Design, Demolition and Construction– Recommendations' and Arboricultural Advisory & Information Service Practice Note 'Driveways Close to Trees' (1996). Any driveway / parking areas within 3 metres of existing trees must be constructed using "no-dig" techniques incorporating appropriate surfaces to avoid damage to trees and to prevent any potential direct or indirect damage caused by trees.
12. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority of proposed drainage associated with the development. The drainage system should prevent surface water run off into the adjoining highway and land and should adopt sustainable drainage techniques where possible. The scheme shall be implemented in accordance with the approved drainage system and retained for the lifetime of the development.



Key:

- Application site boundary
- Land within council ownership
- Land in private ownership

EUROPEAN UNION
 Investing in Your Future
European Regional
 Development Fund 2007-13



Rev	By	Chg	Appnd	Date	Description
A	DP	CH	CH	04/03/14	Private and council owned land added

DO NOT SCALE. This drawing is to be read in conjunction with all relevant Architects, Engineers and Specialist Manufacturer's drawings and specifications. If in doubt please consult the Engineer.

Drawing Status

Client



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A CH2M HILL COMPANY

Project
**CASTLE HILL, DUDLEY:
 LAND WEST OF DUDLEY CANAL TRUST**

Drawing

APPLICATION SITE BOUNDARY

Drawn by: DP	Date: 04/03/14
Created by: CH	Date: 04/03/14
Approved by: CH	Date: 04/03/14
Drawing No:	Revision:

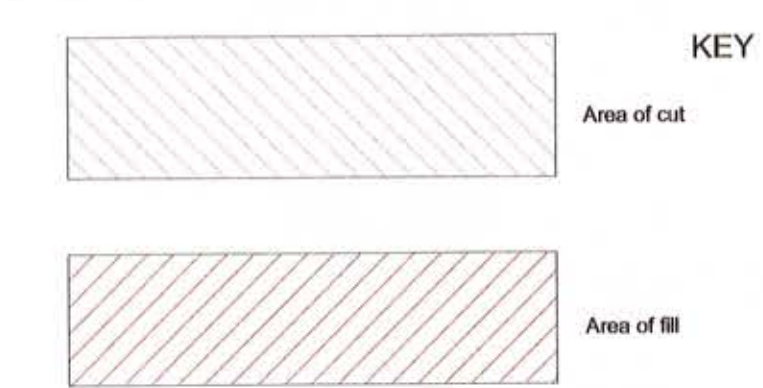
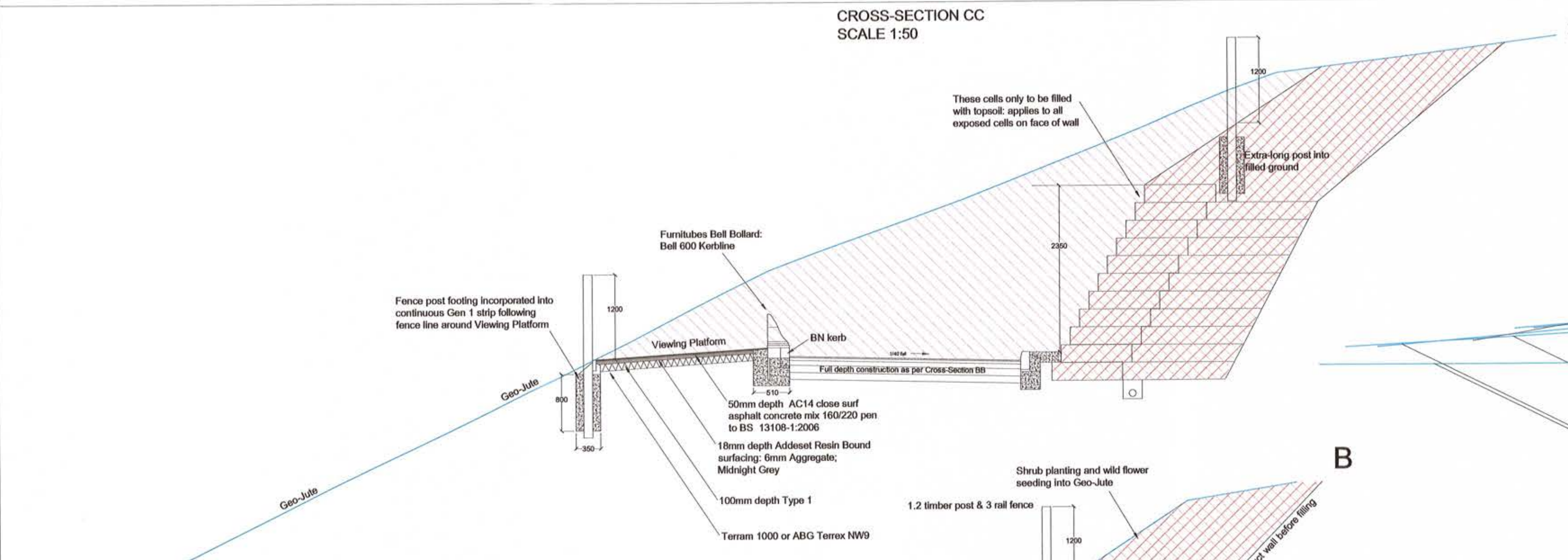
FIGURE 1 **A**

Drawing Scale: 1:1000 at A3

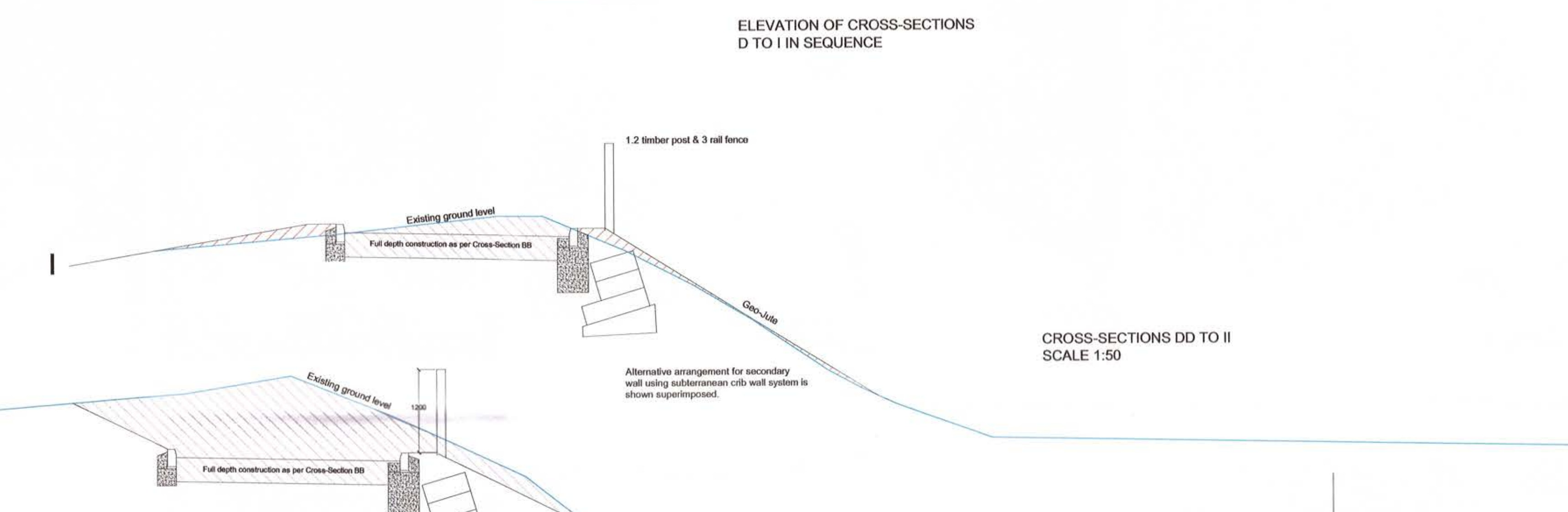
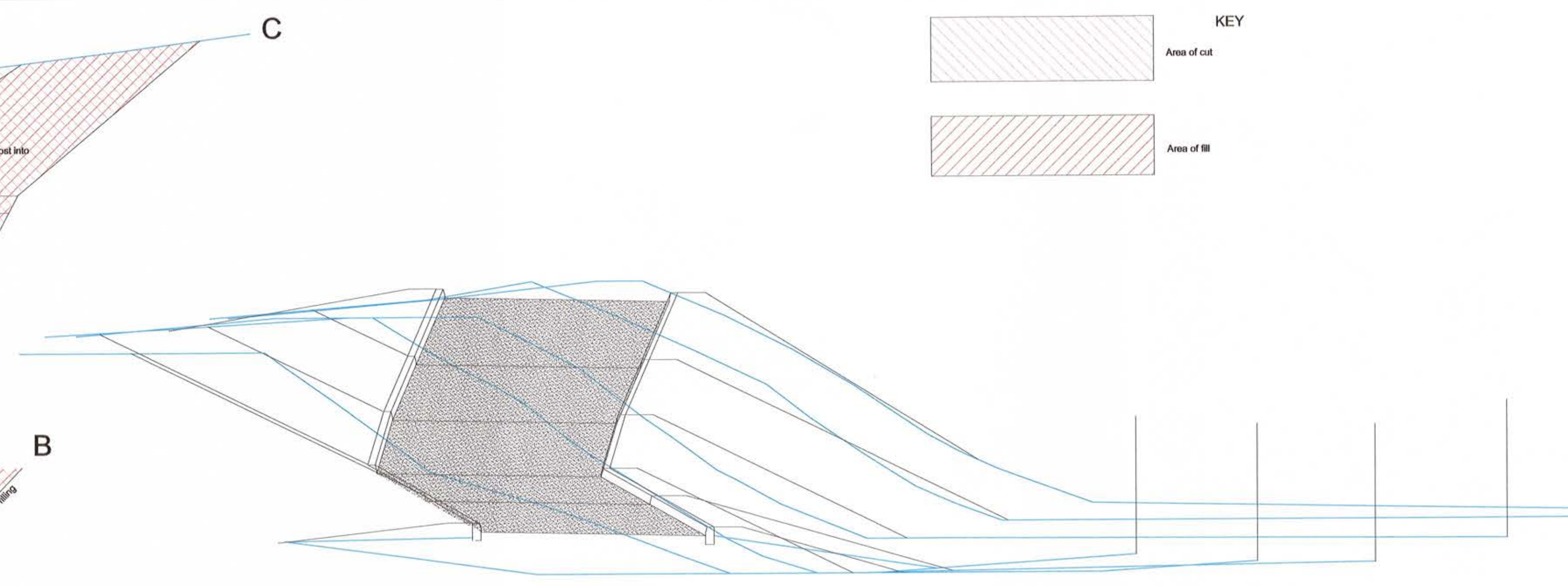
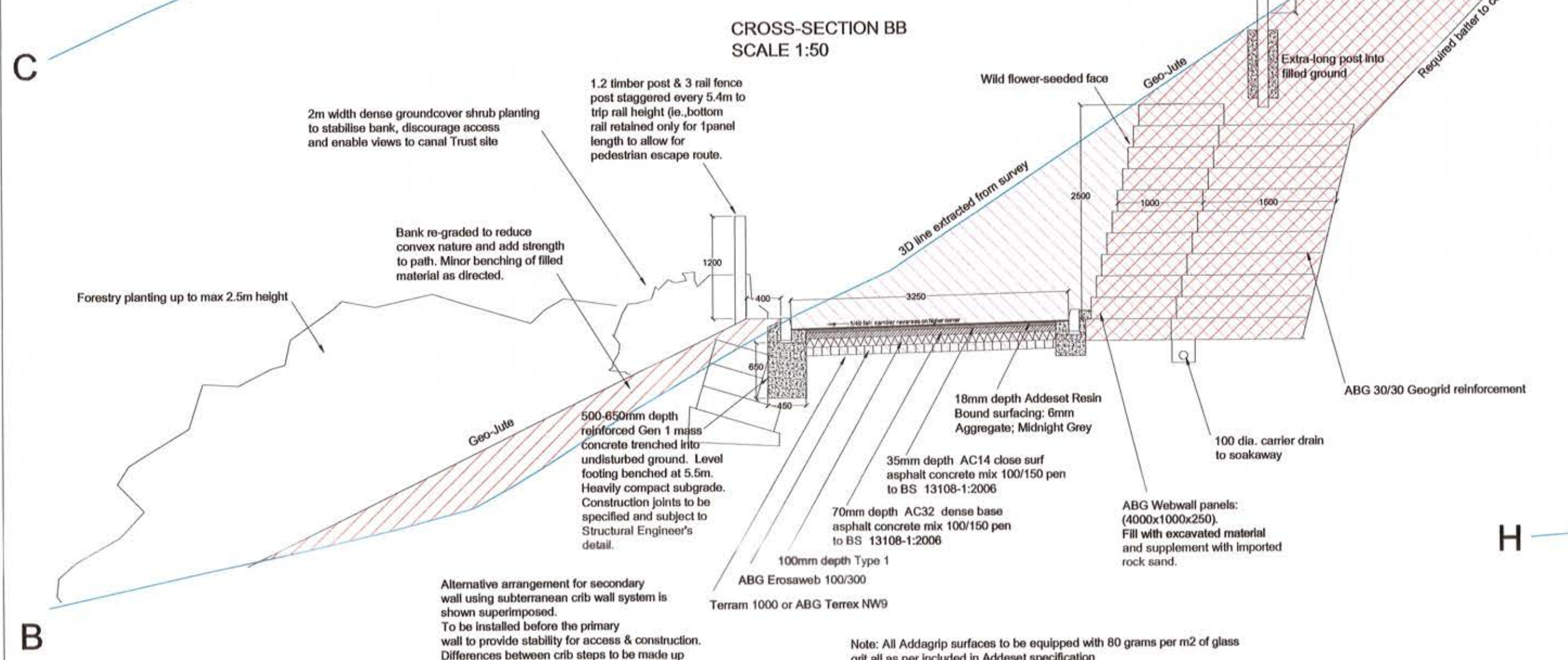
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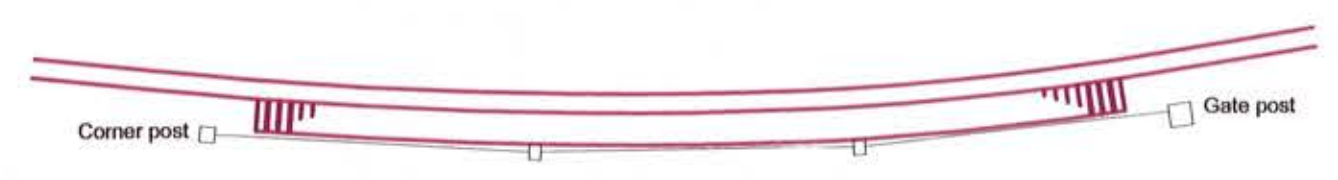
CROSS-SECTION CC
SCALE 1:50



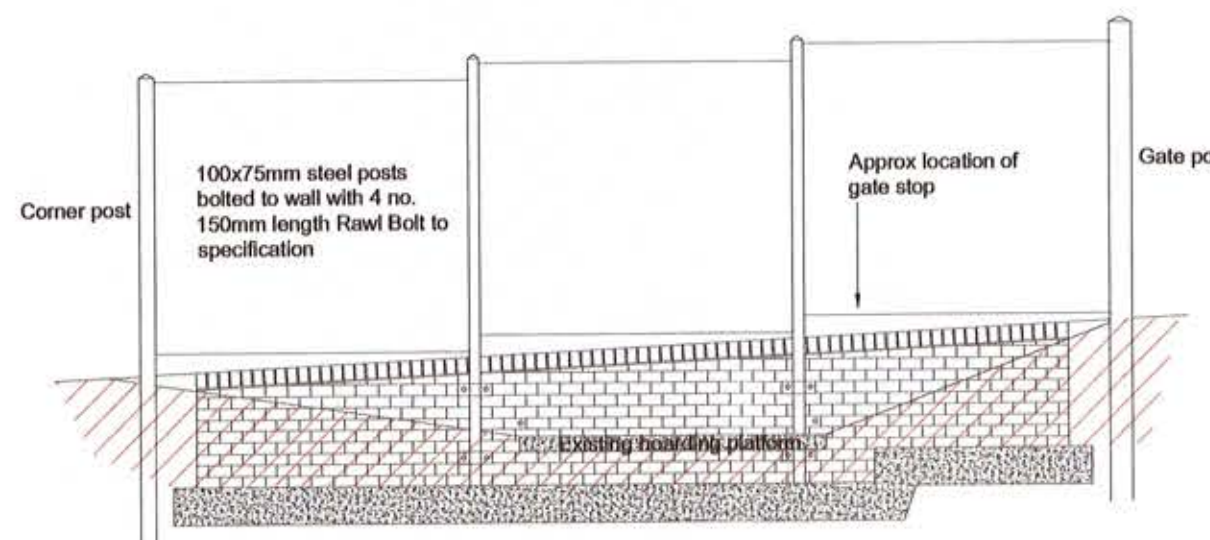
CROSS-SECTION BB
SCALE 1:50



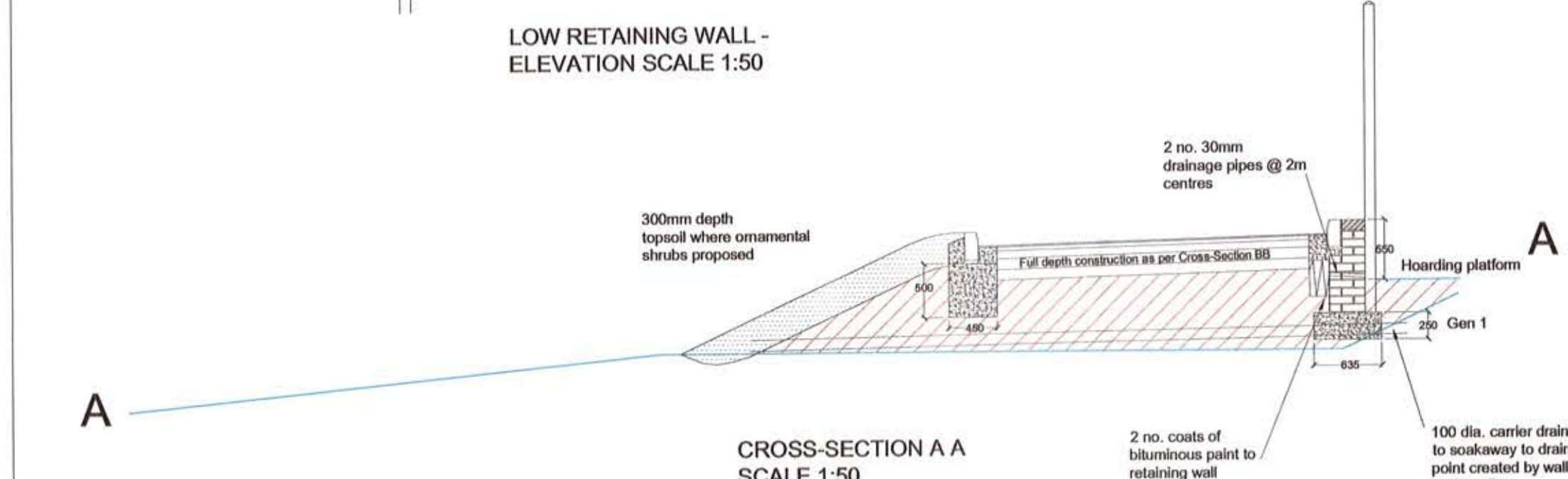
LOW RETAINING WALL -
ELEVATION SCALE 1:50



LOW RETAINING WALL -
ELEVATION SCALE 1:50



CROSS-SECTION A A
SCALE 1:50



REV	DATE	AMENDMENT
A	27.03.14	Replacement of Armo barrier with cast iron 1/2 bell bollards; subtle changes to resin bound surface to include Addresset

Wolverhampton City Council
Landscape and Ecology Practice

City Services, Culwell Street Depot, Culwell Street, Wolverhampton WV10 0JN
Tel: 01902 555423
Fax: 01902 550899

PROJECT: Castle Hill Development
Dudley Canal Trust

SUBJECT: Land Train Route Cross-Sections

DATE	SCALE	DWG SIZE	DRAWN BY	CHECKED
Jan 2014	1/50	A1	Ed O'Leary	

JOB No.	DWG No.	REV
L1324	Canal Trust 02	A

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High profile quality ornamental planting to frontage, including advanced nursery stock tree planting within boundary line to screen the road & promote enclosure of spaces when viewed from land train route

Fence to level off higher up the bank so that it links to billboard structure at approx 2.4m AGL to discourage climb-over at vulnerable point

Consider whether holes on proposed tree planting and fence line

1. Trees planted after fence installation for precise positioning.
2. Trees located 3m away from fence line to discourage fence climbing.
3. Large saplings/native species in proximity to fence line so that security cameras can peer under canopies to view fence line.
4. Linked to Point 3 above, tree planting reduced on bank itself to avoid screening of fence.
5. Some planting of smaller tree species concentrated outside the fence line to bulk up existing, provide a backdrop and break the stark appearance of the fence line which will run along the crown of the bank.
6. Quality of railing fence (design sensitive/appropriate to the character of the Canal Trust proposals, the location of the fence line and the surrounding landscape) to be a prominent feature on the top of the bank.

Completely re-graded bank stabilised with Geo-Jute and sown with wild flower/grass mix. Planting to reduce contamination of land to train route. It is recommended to trim this stone path to the main road.

Maintenance access gate as and where appropriate

1. Increase visibility around corner.
2. Lessen impact - view from Canal Trust.
3. Increase strength of wall.

All existing vegetation on the bank above the retaining wall to be removed

Better of wall reduced (inside less steep) at access points

Forestry planting on the side of the land train route comprises mainly semi-native shrub mix to conserve views into the Canal Trust site

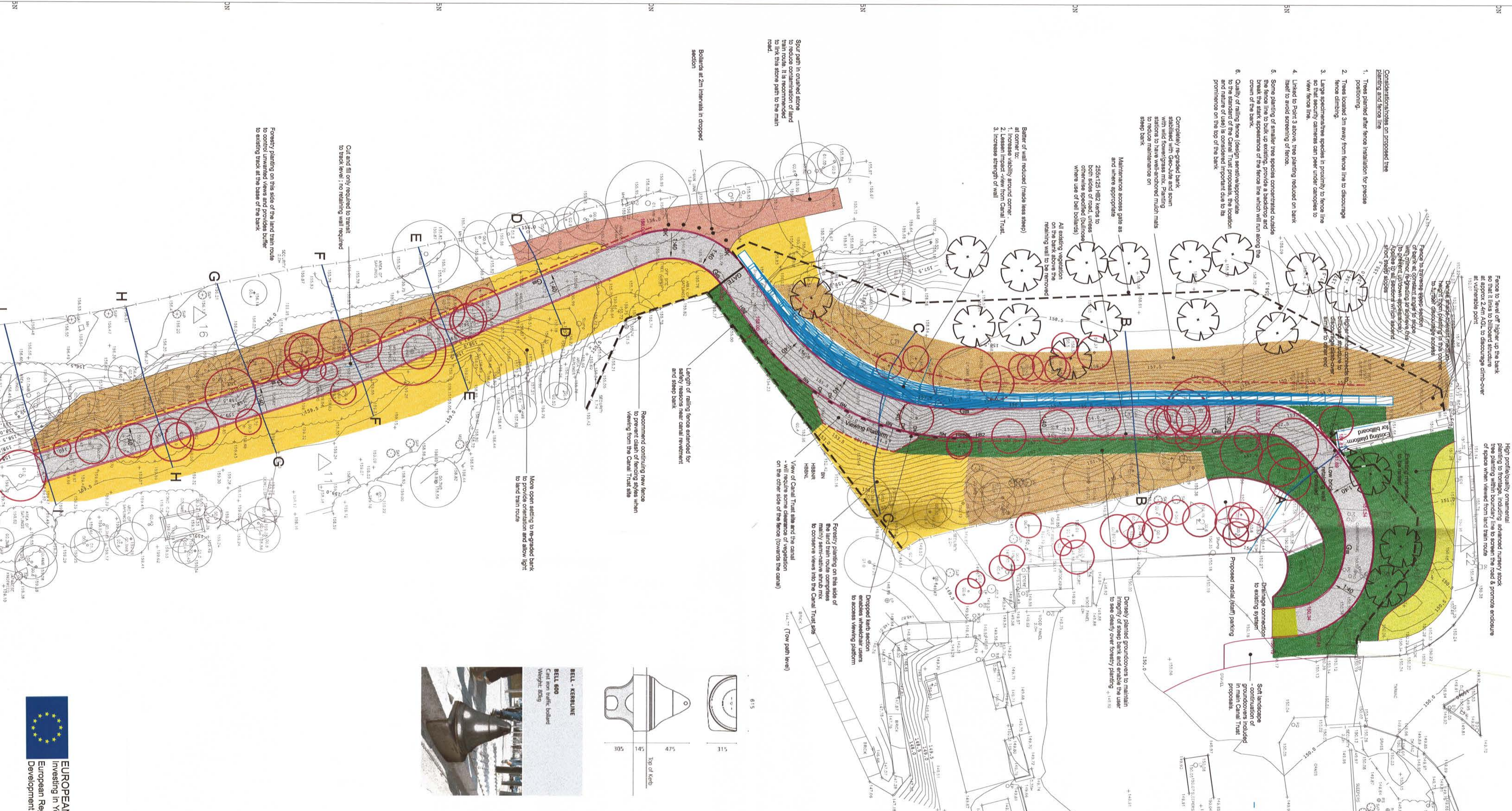
Length of railing fence extended for safety reasons near canal revetment and steep bank

Recommend continuing new fence to prevent cabin of fencing styles when viewed from the Canal Trust site

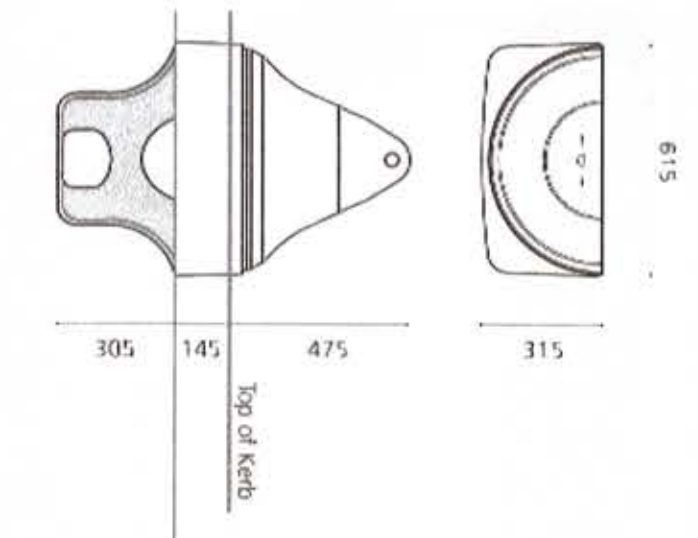
More open setting to re-graded bank to provide orientation and allow light to land train route

Old and fill only required to track to track level; no retaining wall required

Forestry planting on this side of the land train route to control unwanted views and provide buffer to existing track at the base of the bank



13



KEY

- Existing tree retained
- Existing tree removed
- Proposed extra heavy standard - see Dwg L1324 Canal Trust 04
- Proposed forestry planting - mainly semi-native shrub mix - planted into Green Tech Geo-Jute and seeded with wild flower mix. See Dwg L1324 Canal Trust 04
- Proposed ornamental planting - Planted into Geo-Jute on steep sections. See Dwg L1324 Canal Trust 04
- Proposed mown grass areas
- Proposed wild flower areas
- Crushed stone connection land train route to reduce contamination of surface
- 3.25m width (surface width - inside of kerbs) land train route finished in anti-slip resin bound paving for its full length. Curbside surfacing appropriate for its intended use. Curbside surfacing appropriate for its intended use. Darker tones are recommended such as Origign Green. Path to be set at a constant grade of 1:20 with 140 crossfalls.
- Existing feature as sunken and to be removed as necessary

- Proposed 200x200x1000mm timber bollard stained dark brown
- D** Cross-section as indicated on Dwg L1324 Canal Trust 02
- F** Furnishes Bell Bollard - Kerline 600 (Bell 600 - 1/2 bollard) 2.2m intervals. www.furnishes.com
- G** Existing level
- Existing contour
- Proposed spot level
- Proposed gully as detailed
- Proposed timber post & 3 rail fence, stained dark brown
- Existing boundary fence to be removed on Canal Trust boundary (retain on western boundary to industrial site)
- Proposed fenceback painted. Double access gate to detail indicated and opens inwards to site
- DK DK** Proposed H82 unless otherwise indicated as BN (from BN transition H85NL (914x) 25x25 H8 5N (Lall) (914) and H85VN (914) Drop kerb as indicated
- 2.5m high AS9 Webwall system in green colour comprises 4000 height x 1000 width x 250mm height cellular units filled with aggregate and concrete. See Dwg L1324 Canal Trust 02 & 03

Wolverhampton City Council
Landscape and Ecology Practice

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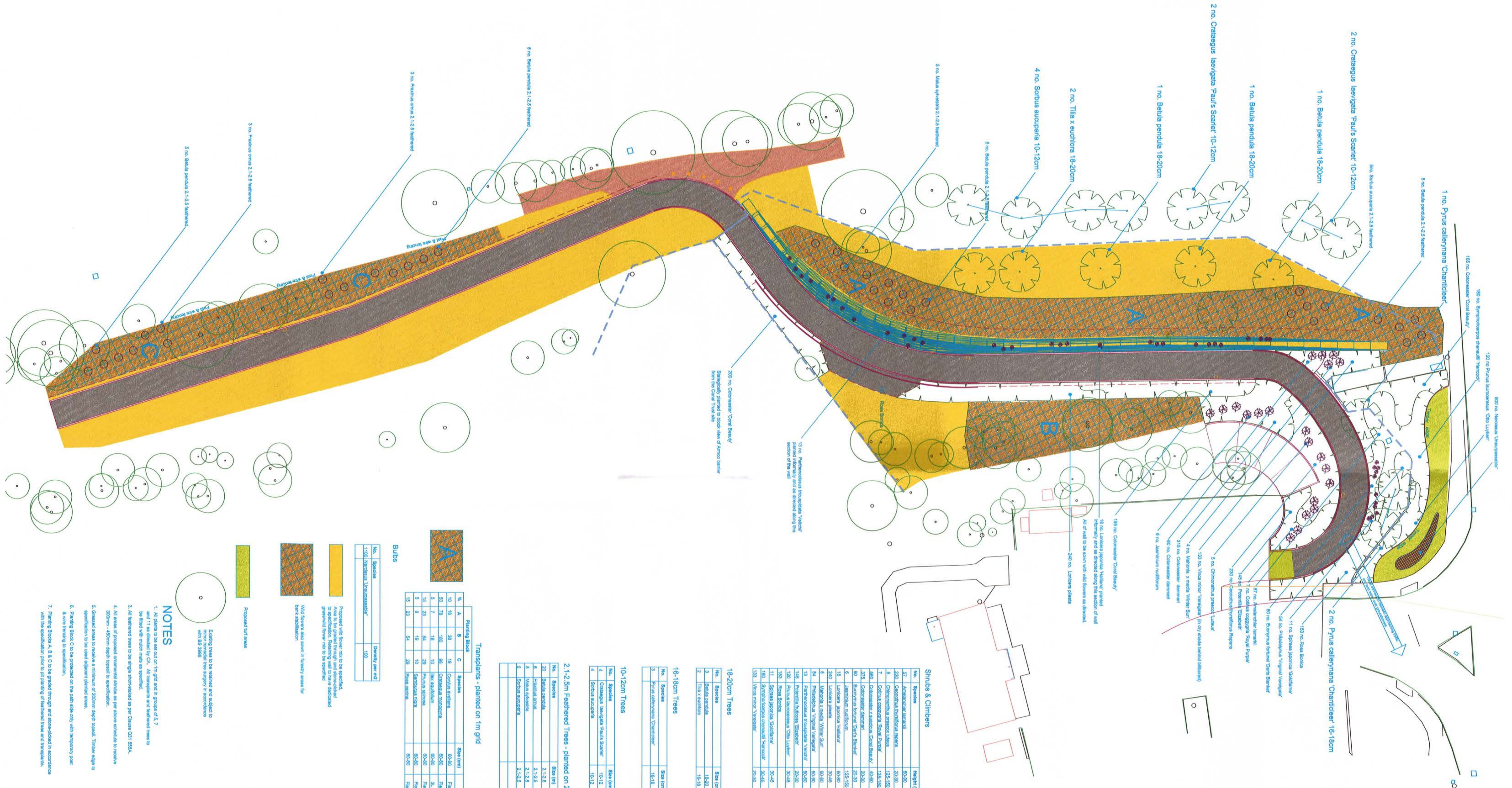
PROJECT
Land Train Route Proposal
Castle Hill Development
Dudley Canal Trust

SCALE
1:200
A1
ED D'Vyle

DATE
Jan 2014

REVISIONS
L1324
Canal Trust 01
REV B

EUROPEAN UNION
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European Regional
Development Fund 2007-13



Shrubs & Climbers

No.	Species	Height (cm)	Plant Size (L)	Min Breaks	Density per m ²
87	Arctostaphylos uva-ursi	60-80	3	3	5
200	Cercocarpus betulifolia 'nana'	20-30	2	4	5
5	Chamaecyparis japonica 'Linnæa'	125-150	10	3	Specimen
7	Cornus canadensis 'Royal Duke'	125-150	10	3	Specimen
400	Cornusaster x japonica 'Doris Blue'	40-60	3	4	5
318	Cornusaster 'demon'	20-30	2	3	7
80	Eurotia hirtellifera 'Doris Blue'	125-150	10	3	Specimen
18	Lonicera japonica 'Hilmar'	60-80	3	2	Specimen
240	Lonicera japonica	30-45	3	3	Specimen
5	Malva x media 'Vivipar'	60-80	10	3	Specimen
13	Parthenocela 'Virgata'	60-80	3	2	Specimen
145	Parthenocela 'Virgata'	20-30	2	4	5
132	Prunella 'Royal Victoria'	20-30	2	3	5
152	Prunella 'Royal Victoria'	20-30	2	3	5
153	Rosa 'Sonnenschein'	30-45	3	4	5
113	Spiraea japonica 'Goldflame'	30-45	3	4	Specimen
110	Syringa 'Princess of Wales'	30-45	3	3	5
128	Yucca 'Mandarin'	20-30	2	3	7

18-20cm Trees

No.	Species	Size (cm)	Specification
3	Betula pendula	18-20	Field grown bare root
119	Tilia x euclora	18-19	Field grown

16-18cm Trees

No.	Species	Size (cm)	Specification
3	Prunus calleryana 'Chanticleer'	16-18	Field grown

10-12cm Trees

No.	Species	Size (cm)	Specification
4	Crataegus laevigata 'Paul's Scarlet'	10-12	Field grown
4	Sorbus aucuparia	10-12	Field grown

2.1-2.5m Feathered Trees - planned on 2m grid spacing

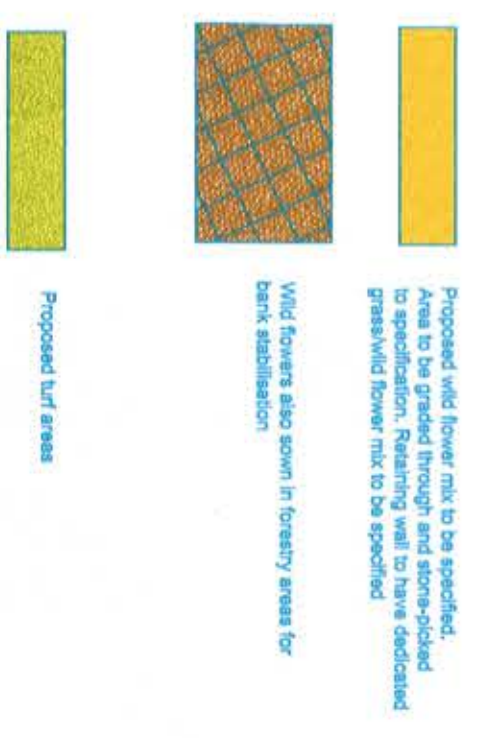
No.	Species	Size (m)	Specification
20	Betula pendula	2.1-2.5	Field grown bare root
4	Prunus avium	2.1-2.5	Field grown bare root
3	Malva sylvestris	2.1-2.5	Field grown bare root
3	Sorbus aucuparia	2.1-2.5	Field grown bare root

Transplants - planned on 1m grid

Planting Sheet	Species	Size (cm)	Specification			
A	18	30	19	Cornifolia arbutus	60-80	Field grown bare root
B	78	100	86	Cornifolia arbutus	60-80	Field grown bare root
C	7	18	10	Ilex aquifolium	30	Container grown
D	23	84	29	Prunus avium	60-80	Field grown bare root
E	8	19	10	Quercus agrifolia	60-80	Field grown bare root
F	23	84	29	Betula pendula	60-80	Field grown bare root

Bulbs

No.	Species	Density per m ²
1150	Lilium 'Lutescens'	100



NOTES

- All plants to be set out on 1m grid and in rows of 8, 7 and 11 as directed by CA. All transplants and feathered trees to be fitted with multi masts as specified.
- All feathered trees to be edge supported as per Clause 021.05&A.
- All areas of proposed ornamental areas as per above schedule to receive 200mm - 400mm depth topsoil to specification.
- All areas of proposed ornamental areas as per above schedule to receive 200mm - 400mm depth topsoil to specification.
- Gravel areas to be laid adjacent paved areas.
- Planting Block C to be protected on the path side only with temporary post & wire fencing to specification.
- Planting Blocks A, B & C to be guarded through and surrounded in accordance with the specification prior to planting of feathered trees and transplants.

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 Landscape and Ecology Practice
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 22 No. 1000 from the River
 PROJECT: **Castle Hill Development Dudley Canal Trust**
 DRAWING: **Planting Proposals**
 DATE: **1/200**
 SCALE: **A1**
 DRAWN BY: **ED Doyle**
 CHECKED BY: **A**
 JOB NO.: **L1324**
 CLIENT: **Canal Trust 04**
 22 No. 1000 from the River

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A 04.04.14 Changes to tree planting and wind fence areas to include boundary fence alterations
 04.04.14
 04.04.14
 04.04.14