

PLANNING APPLICATION NUMBER:P13/1896

Type of approval sought	Outline Planning Permission
Ward	Cradley and Wollescote
Applicant	H S Pitt & East India Trading Co 1998
Location:	FORMER FACTORY SITE, PARK LANE, CRADLEY, HALESOWEN, WEST MIDLANDS, B63 2QP
Proposal	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (ACCESS TO BE CONSIDERED)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS AND 106

SITE AND SURROUNDINGS

1. The application site measures approximately 3.6 hectares in size and is essentially made up of two parcels of land. The Southern part of the site is currently occupied by HS Pitt Ltd and contains a large steel framed industrial building that is used for the cutting, drilling and welding of steel. The Northern part of the site was previously occupied by East India Trading Co and is currently vacant and has been since the previous industrial buildings were demolished.
2. The majority of the site is taken up by hardstanding, concrete aprons and the existing building occupied to the South of the site. The land area steps up from Park Lane towards the rear of the site. The wider site area includes land to the rear of the site that has previously been excavated as part of an historic brick and tile works. There is a steep bank to the rear of the site that rises up towards Homer Hill Park to the West.
3. There are residential properties to the North (Pippin Avenue, Glynn Crescent and Brades Close) and to the South (Park Lane and Long Innage). There are other industrial/commercial premises on the opposite side of Park Lane to the West.
4. There is an existing Public Right of Way that runs along the Northern boundary of the site from Park Lane, along the boundaries of the dwellings in Pippin Avenue and Glynn

Crescent, around the top of the excavated area of the site and through to Homer Hill Park.

PROPOSAL

5. This is an Outline planning application for the redevelopment of the site for residential purposes. All matters have been reserved for subsequent consideration with only the principle of the development and the means of access to the site being put forward for consideration at this time.
6. The layout of the site, the scale and appearance of the development and the landscaping of the site would all be considered at a later date should this application be approved.
7. However an indicative layout has been submitted with the application that shows a potential layout.
8. The proposal includes two access points from Park Lane. The primary access would be taken to the South of one of the existing access points to the front of the existing HS Pitt building with an additional secondary access point being provided further to the North between the junctions with Parsonage Road and James Scott Road on the opposite side of Park Lane.
9. As part of the development of the site the existing Public Right of Way would need to be diverted. The applicant has shown a potential diversion route on the indicative site layout.

HISTORY

10. Planning history for the site dates back to 1956 and relates to the industrial heritage of the site. No relevant planning applications for the residential development of the site have previously been submitted.

PUBLIC CONSULTATION

11. Notification letters were sent to the occupiers of 65 neighbouring properties. In addition the application was advertised in the local press and through a number of site notices.
12. As a result a total of two objections have been received as well as three other letters making observations. The main issues raised are:
 - The access/egress would be on a blind bend and is not suitable as traffic regularly exceeds 80mph on this road and there have been numerous accidents along this road;
 - Potential for overlooking;
 - Potential disturbance during construction;
 - Close proximity of proposed dwellings;
 - Potential for fly-tipping
 - Concern over maintaining security to the wooded area to the rear.
13. One of the above letters also stated that the development looks good and that the local resident hopes that the scheme gets built.
14. Following the receipt of an amended plan showing the indicative line of the re-directed public right of way the proposal was re-advertised for a period of 7 days with the neighbour notification process being repeated.

OTHER CONSULTATION

15. Group Engineer (Highways): No objection subject to conditions relating to visibility splays and the diversion of the existing Public Right of Way.
16. Head of Environmental Health and Trading Standards: No objection subject to conditions relating to Land Contamination and Noise mitigation measures.

17. Environment Agency: No objections subject to Conditions relating to Groundwater and Land Contamination.
18. West Midlands Police: No objection raised however a number of detailed comments have been made regarding the indicative layout. As this is an Outline application where the layout is not being considered these detailed comments are premature. However they have been sent to the application for future consideration.
19. West Midlands Fire Service: No objection. Suitable water supplies for fire fighting shall be provided in consultation with West Midlands Fire Service once a Water Scheme Plan has been produced and approved by the relevant Water Company.

RELEVANT PLANNING POLICY

20. National Planning Guidance (2012)
 - Section 1: Building a strong, competitive economy
 - Section 6: Delivering a wide choice of high quality homes
 - Section 11: Conserving and enhancing the natural environment
21. Black Country Core Strategy (2011)
 - CSP1 The Growth Network
 - CSP3 Environmental Infrastructure
 - CSP4 Place Making
 - DEL1 Infrastructure Provision
 - DEL2 Managing the Balance between Employment Land and Housing
 - HOU1 Delivering Sustainable Housing Growth
 - HOU2 Housing Density, Type and Accessibility
 - HOU3 Delivering Affordable Housing
 - EMP1 Providing for Economic Growth
 - EMP3 Local Quality Employment Areas
 - EMP4 Maintaining a supply of Readily Available Employment Land
 - TRAN2 Managing Transport Impacts of New Development
 - TRAN4 Creating Coherent Networks for Cycle and for Walking

- ENV 1 Nature Conservation
- ENV 2 Historic Character and Local Distinctiveness
- ENV 3 Design Quality
- ENV 5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island
- ENV 6 Open Space, Sport and Recreation
- ENV 7 Renewable Energy
- ENV 8 Air Quality

22. Unitary Development Plan (2005) (Saved Policies)

- DD1 Urban Design
- UR9 Contaminated Land
- NC1 Biodiversity
- AM13 Public Rights of Way

23. Supplementary Planning Guidance/Documents

- Open Space, Sport and Recreation Provision Supplementary Planning Document
- Affordable Housing Supplementary Planning Document
- Nature Conservation Supplementary Planning Document
- 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 (2011)

ASSESSMENT

24. The main issues are

- Principle
- Occupier and Neighbour Amenity
- Access and Parking
- Nature Conservation
- Planning Obligations

- National Homes Bonus
- Other Issues

Principle/Policy

25. The National Planning Policy Framework (NPPF) states that development that is sustainable should go ahead, without delay and that a presumption in favour of sustainable development is the basis of every plan and decision.
26. 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.
27. Section 6 of the NPPF has specific relevance to this proposal seeking to significantly boost the supply of housing advising that housing applications should be considered in the context of the presumption in favour of sustainable development.
28. The NPPF (and Black Country Core Strategy) promotes the provision of housing on previously developed land (PDL) such as this. It is considered that, subject to the provisions of the Core Strategy, the re-use of this previously developed site for residential development would accord with the overarching provisions of the NPPF.
29. The application site was previously designated as a Key Industrial Area on the Dudley UDP Proposals Map. That designation has subsequently been replaced and superseded by the following adopted Black Country Core Strategy Policies: EMP1 (Providing for Economic Growth), EMP3 (Local Quality Employment Areas), EMP4 (Maintaining a Supply of Readily Available Employment Land) and Policy DEL2 (Managing the Balance between Employment Land and Housing).

30. Policy DEL2 is intended to ensure the delivery of the Core Strategy Spatial Objectives by providing a clear framework for a continuous supply of housing and employment land to meet the needs of the Black Country to 2026. Without intervention, the Black Country is forecast to contain a surplus of employment land by 2026 and Policy DEL2 seeks to manage the release of the poorest quality employment land which is not protected by Policies EMP1, EMP2, EMP3 and EMP4.
31. The site also falls inside Regeneration Corridor 13 (Jewellery Line – Rowley Regis – Stourbridge Junction). The site is on the edge of a very broad location for the retention of employment land however these are not specific designations and are intended as diagrammatic and indicative proposals. The spatial strategy for this corridor is for its consolidation *as a housing corridor through the development of obsolete areas of industrial land..... A key feature of the strategy will be to create new residential communities to substantially increase the catchment and population base of Blackheath, Cradley Heath and Lye...*
32. It is considered that subject to the proposal satisfying the requirements of Policy DEL2 the principle of the redevelopment of the site for residential use would be acceptable.
33. Policy DEL2 states that before considering the release of employment land we will:
- Ensure satisfactory arrangements for the relocation of existing occupiers to safeguard the existing employment base;
 - Ensure that the development does not adversely affect the operation of existing or proposed employment uses;
 - Ensure that the site is no longer viable and required either for employment use, including relocation of businesses displaced from sites released to other uses, or other employment generating uses.
34. In accordance with the above the applicant has submitted a detailed Planning and Economic Statement containing the following information:

- The majority of the site has been cleared of buildings with only the building currently occupied by HS Pitt Co Ltd remaining. The business is seeking to expand and is seeking larger more prestigious premises. The applicant wishes to remain within Dudley and suitable premises have been identified at Yorks Park, Blowers Green Road however the disposal of the application site is necessary in order to fund the relocation and expansion of the business. It should be noted however that the relocation of the existing business to another premises within Dudley cannot be controlled.
- Although there are other industrial premises on the opposite side of Park Lane there is a clear distinction between this site and the wider Industrial Area to the West. The application site is bordered to both the North and South by residential properties and is the only industrial site on this side of Park Lane. As a residential development the site would sit much more comfortably with its immediate neighbours and it is not considered that it would result in a detrimental impact on the operation of the existing industrial businesses on the opposite side of Park Lane. The application has been supported by a Noise Impact Assessment that concludes that the site is affected by elevated levels of road traffic noise and that the noise from the industrial units on the opposite side of Park Lane is not significant. Mitigation measure can be incorporated in any future dwellings including glazing with a specific noise attenuation level, the use of acoustic fencing and the specific layout of the site. The Head of Environmental Protection and Trading Standards accepts the findings of the report and does not raise any objection to the proposal. It is therefore considered that the release of this land for housing would not result in any adverse impact on the operations of the other existing industrial uses.
- The main cleared area of the site previously accommodated a range of buildings providing 6,500sqm of industrial floorspace that was occupied by Mid Tech Plastic Moulding Services. The company went into financial difficulty in 2007 and alternative tenants were sought through site boards and advertising but no interest was shown. The company declared bankruptcy and vacated the site in 2009. Another manufacturer subsequently occupied half of the floorspace and marketing

continued for the remaining area. In August 2009 the occupied area of the building was subject to a fire that resulted in the closure of that business. Despite continued marketing of the premises no further interest was shown. The site became subject to vandalism, arson and metal theft and the buildings were subsequently demolished in 2010 following advice from the Fire Service and the Council's Health and Safety Officers. It is considered that the overall site is no longer viable or required for continued employment use.

35. It is considered by the Local Planning Authority that the applicant has provided sufficient information to address the requirements of Policy DEL2 and that the release of the land for housing is acceptable in principle.
36. The site has historic environment sensitivity and it has the following designation on the Council's Historic Buildings, Sites and Monuments Record: (No.7716) Site name: Park Lane, site of Brick Kiln. General description: Recorded in 1843 Cradley Tithe Map. Owned by Joseph William Kings. Called a Brick, Tile and Drain Pipe Works in 1884 O.S. map and chapelworks brick, tile and terracotta in 1903.
37. Given the potential historic environment sensitivity of the site it is considered appropriate to ensure that an Archaeology Assessment is submitted alongside any detailed layout proposals (as part of the Reserved Matters application).
38. It is considered that the principle of the release of this industrial land for residential redevelopment is acceptable and that, subject to the detailed design, it has the potential to have a positive impact on the character and appearance of the surrounding area.

Design

39. As stated this is an Outline application and as such precise details of the design, scale and appearance of the dwellings as well as the landscaping of the site would be considered as part of a subsequent Reserved Matters application should this application be approved.

40. The indicative site layout that has been submitted in support of the application shows approximately 80 dwellings across the site. This site is included in the 2011/2012 Strategic Housing Land Availability Assessment Update where it is identified as being able to provide up to 88 dwellings by 2016/17.
41. It should be noted that this is purely indicative and that it is considered that the final number of dwellings could be above or below that figure depending on the mix of housing types that are provided and the final layout design.

Neighbour Amenity

42. As stated there are existing residential properties to the North and South of the site. The properties to the North are generally at a higher level than the application site as the land levels rise from West to East and South to North with the dwellings in Glynn Crescent and Brades Close in particular being significantly elevated above the site.
43. The properties to the South along Park Lane and Long Innage are generally set at a similar level to, or below, the application site. The dwellings in Long Innage back onto the site and care would need to be taken at the detailed design stage to ensure that the siting and orientation of the proposed dwellings did not result in a detrimental impact on outlook or privacy of the occupiers of those properties.
44. However given the overall size of the site it is considered that there is sufficient space to ensure that the Council's separation distances are achieved. In addition it is considered that a residential development would be a much more appropriate land use than the existing industrial use.
45. It should be noted that the occupiers of neighbouring properties would be consulted again once the Reserved Matters application has been submitted.

Occupier Amenity

46. It is considered that there is sufficient space within the site to allow for the appropriate amount of private amenity space to be provided (gardens with a minimum length of 11

metres) whilst ensuring that the correct level of car parking is achieved and that the design of the dwellings is of a high quality.

47. As stated above the detailed layout of the site and design of the proposed dwellings would need to take account of the noise generated by the existing industrial properties to the West and to the traffic noise generated along Park Lane.
48. The application is accompanied by a noise impact assessment which has surveyed the surrounding noise sources to establish how the application site is affected.
49. The noise impact assessment has determined that the 'front' of the site facing Park Lane is affected by elevated levels of road traffic noise. This includes HGVs accessing the industrial premises off Park Lane. It also concludes that industrial noise from the units is not a significant contributor to the noise climate of the site. The report goes onto recommend that noise mitigation measures are incorporated into the development to protect amenity, particularly for those properties that will boarder with, or have line of sight to, Park Lane. These measures include glazing with a minimum noise attenuation of R_{TRA} 35dB and acoustic trickle vents for habitable rooms with a view to Park Lane. Also, 2 metre high close boarded acoustic fences will be required to protect outdoor amenity space although the actual gardens affected are not known at this stage as the layout is indicative. Buildings along the western boundary will also need to be positioned so as to provide adequate screening to the rest of the development, particularly those plots that do not benefit from the enhanced glazing and ventilation treatment. The noise levels affecting the site will need to be re-modelled and based on the final layout when this is known. Environmental Protection accepts the findings of the report.
50. At the reserved matters stage, when a layout is put forward for approval, a final scheme of noise mitigation will need to be agreed with the Local Planning Authority. The scheme will need to take into account the recommendations made in the noise impact assessment and apply them to the final layout. The Head of Environmental Protection and Trading Standards is satisfied that subject to this then the site could be developed for a residential use whilst providing a satisfactory level of amenity for future occupiers. It is recommended that a suitable Condition is attached to ensure that a noise

mitigation scheme is submitted alongside the Reserved Matters application that includes the layout of the site.

51. There is a significant change in levels towards the East of the site with what is effectively a cliff face being present at the edge of the area where historic excavation has taken place. It is considered appropriate to request that detailed information is submitted in support of any subsequent application relating to the layout of the site to demonstrate both the stability of that land and also its impact on sunlight/daylight within the proposed dwellings. The indicative layout suggests that dwellings could be built in close proximity to that part of the site and it could be that a buffer area would need to be provided.
52. The adopted Open Space, Sport and Recreation Provision SPD states that development proposals of 80 residential units or more should explore, where practical to do so, the requirement for new on-site recreational public open space. Whilst the total number of residential units are not known at this stage the indicative layout does show that approximately 80 dwellings could be provided across the site.
53. However the SPD also states that for sites which are already well-served by existing nearby off-site recreational public open space, which is safely accessible from the proposal site, then the developer will not be required to provide new on-site open space within the residential layout.
54. Given that Homer Hill Park is located immediately to the West of the site and that the applicant would be required to ensure that there is a pedestrian link through the site to the Park it is not considered necessary to ensure that on-site open space is provided.
55. It is considered that the proposed development would result in an acceptable level of amenity for the occupiers of the proposed dwellings.

Access and parking

56. As stated the proposed vehicular access for the development would be taken from two access points along Park Lane.

57. Detailed plans of the proposed access points have been submitted with the application and these have been considered in detail by the Group Engineer (Highways).
58. Visibility splays of 2.4m by 59m would be provided from both of the access points and the applicant has agreed to dedicate the land within the visibility splays as Highway which would ensure that it is kept free from development.
59. The Transport Assessment submitted in support of the application indicates that the give way priority junction into the site should operate satisfactorily with a low flow to capacity ratio. The findings of the assessment are accepted in this respect. The Transport Assessment also looked into the effects of on the junctions of Lyde Green / Netherend and Park Lane / Park Road. The PICADY Modelling assessment also indicated a low ratio of flow to capacity and therefore the Highway Authority does not raise any concerns in this respect.
60. It is considered that the amount of traffic that would be generated by the proposed development would be acceptable and that the proposed development would not result in a detrimental impact on highway safety. As such the Group Engineer is satisfied that the proposed access to the site would not result in any issues of highway safety.

Public Right of Way

61. There is a definitive Public Right of Way (PRoW H204) running through the site along its Northern boundary to its Eastern boundary and joining onto the Public Open Space bounded by the Midland Heart development /Long Innage and West Road South. Whilst the PRoW has physically been lost in places (especially along the Northern boundary of the site) the designation still applies and must be addressed as part of the planning process.
62. The PRoW rises steeply from its junction with Park Lane to the Eastern boundary of the site and in most part is relatively inaccessible and is probably rarely used, although there is some evidence that certain sections of the PROW are used.

63. It is considered that the most appropriate course of action would be to divert the PRoW through the site to provide a new link between Homer Hill Park and Park Lane. Following discussions with the Council's Public Rights of Way Officer the applicant has included an indicative alternative route of the PRoW what would go through the proposed development and up to Homer Hill Park through the South Eastern corner of the site. An additional short length of PRoW is also proposed adjacent to the application site within the adjacent park to make a meaningful and useable connection.
64. If this application is approved then the applicant would need to provide full details of the proposed footpath and would also need to formally apply for the diversion of the existing PRoW. As this is an Outline application it is considered that the most appropriate course of action would be for this to be undertaken alongside the Reserved Matters application that secures the detailed layout of the site.
65. Given the change in levels across the site the new PRoW would need to be stepped in part. In addition it would be located through the SLINC at the East of the site and careful consideration of its final design and route will be required to ensure that it does not have a detrimental impact on that area.
66. Whilst the footpath could run towards the rear of the existing dwellings within Long Innage any impact on the occupiers of those properties would be given full consideration at the detailed design stage.

Nature Conservation

67. The Eastern (rear) half of the application site is designated as part of a wider Site of Local Importance for Nature Conservation (SLINC). Policy ENV1 (Nature Conservation) seeks to ensure that locally designated nature conservation sites are protected from development proposals which could negatively impact upon them.
68. The applicant has submitted a Phase 1 Habitat Survey and Ecological scoping report in support of the proposal. This concludes that as there is the potential for the SLINC to be adversely affected it is recommended that an ecological mitigation and management plan is secured by Condition and prepared in advance of the detailed design stage. It

is considered that this is an appropriate recommendation as the layout submitted with the application is purely indicative and the purpose of this application is essentially to consider the principle of the redevelopment of the site for a residential use.

69. The report makes other recommendations relating to lighting and the retention and improvement of the woodland and grassland to the Eastern edge of the site.
70. The report also states that some areas of the site may be suitable for reptiles and it recommends that further survey work is undertaken prior to the detailed design stage. A suitably worded condition is proposed to ensure that all of the information recommended by the submitted Ecological Scoping report is submitted alongside the subsequent Reserved Matters application.
71. As part of the proposal the development is expected to make a contribution towards Nature Conservation enhancements. This would also be secured through a suitably worded condition and would ensure that the proposal had no detrimental impact on the SLINC and would also include such measures as the installation of additional bat boxes, bird boxes and additional planting of appropriate species.
72. A badger sett is located within the SLINC (although outside of the application site). Badgers are protected under the Protection of Badgers Act 1992 that makes it an offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger or attempt to do so, or to intentionally or recklessly interfere with a sett.
73. Any works that would disturb the sett would require a licence to be issued by Natural England. If such a licence is required (and granted) then works within 30 metres of the sett could only be undertaken between July and November. If such a licence is required and not obtained by the developer then any works that disturb the sett would be illegal.
74. It is considered that, subject to mitigation and enhancement work the proposed development would not have a detrimental impact on the Nature Conservation value of the site or adjoining land and that positive enhancements can be achieved.

Planning Obligations

75. 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.
76. 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.
77. 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.
78. Following consideration of the above tests the following planning obligations are required for this application:
79. On-Site Provision (to be secured by condition)
- Public Realm
 - Nature Conservation
 - Public Art
 - Air Quality Enhancement
80. On-Site Provision (to be secured by a S106 agreement)
- Affordable Housing (25%)

81. It is considered that these contributions meet the necessary tests as stated above in that they contribute to the delivery of a sustainable development, are being provided directly on the development site itself and are deemed to be in scale and kind to the proposed development.
82. This development complies with the requirements of BCCS Policy DEL1 and the Planning Obligations SPD.
83. The applicant has agreed to these planning obligations.

New Home Bonus

84. 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 CIL.
85. 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.
86. 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.

87. 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”.
88. Whilst it is likely that the development would result in a significant sum of money the planning merits of the proposal are acceptable in any event and therefore this is not accorded significant weight.

CONCLUSION

89. The proposed development would provide new dwellings on a previously developed site within an identified strategic Regeneration Corridor that has an emphasis on housing led growth. The proposal would not result in a detrimental impact on highway safety or on the use of the neighbouring open space. Consideration has been given to policies CSP1, CSP3, CSP4, HOU1, HOU2, HOU3, DEL1, DEL2, EMP1, EMP2, EMP4, ENV1, ENV2, ENV3, ENV5, ENV6, ENV7, ENV8, TRAN2 and TRAN4 of the Black Country Core Strategy and saved Policies DD1, UR9, NC1 and AM13 of the Dudley Unitary Development Plan.

RECOMMENDATION

It is recommended that the application be APPROVED subject to a S106 agreement and to the following conditions with delegated powers to the Director of the Urban Environment to make amendments to these as necessary.

- a) The applicant entering into a Section 106 Agreement for a contribution towards affordable housing.
- b) The completion of the Agreement by 22nd March 2014 and, in the event of this not happening, the application being refused if appropriate.
- c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary

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.

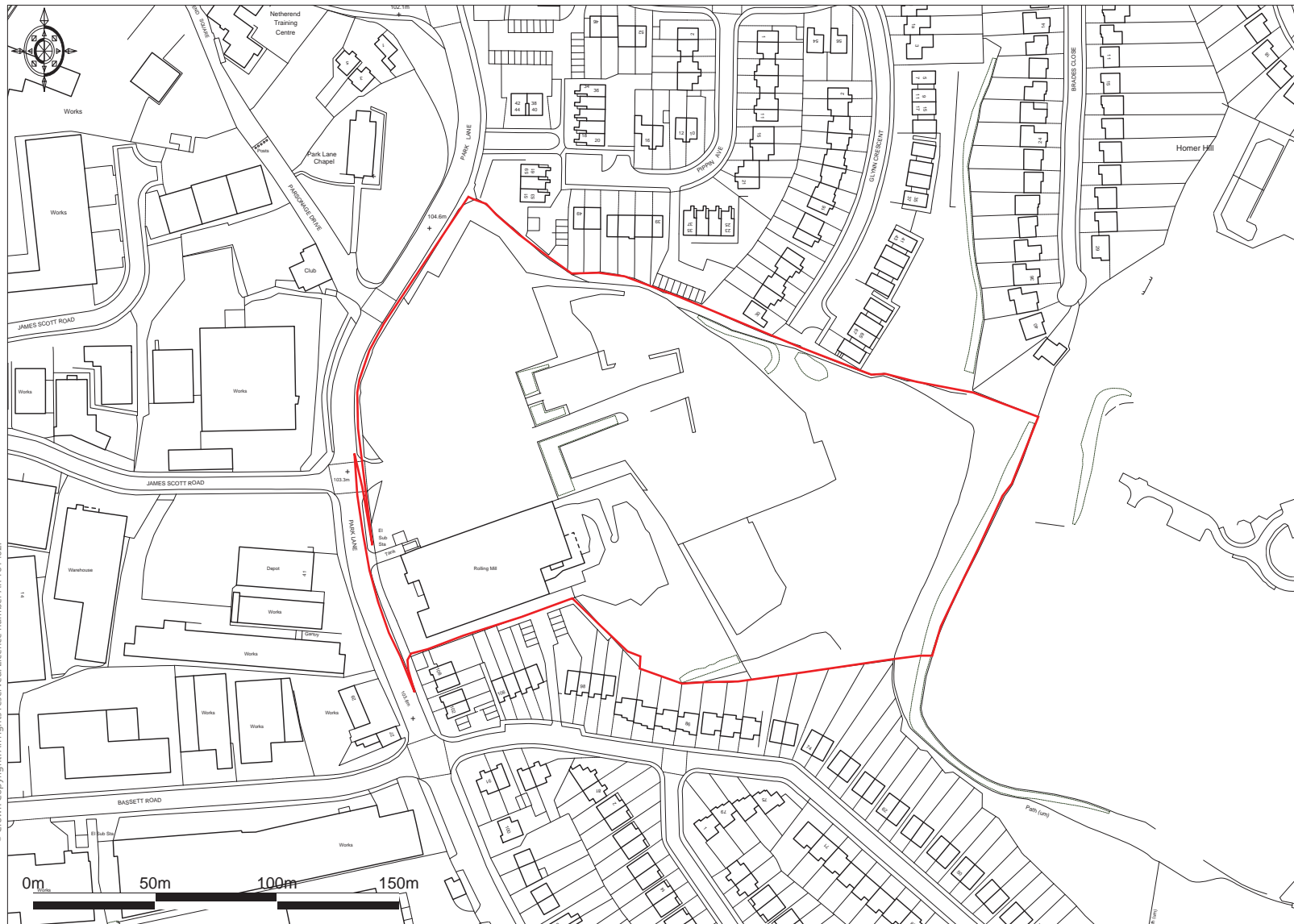
Conditions and/or reasons:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
2. Approval of the details of appearance, layout, scale and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is begun.
3. Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from road traffic on Park Lane has been submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed in full prior to the first occupation of any of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall take account of the recommendations made in the noise impact assessment report reference B7151/ENV/P1 submitted with the application. The protection measures in the agreed scheme shall thereafter be maintained throughout the life of the development
4. No development approved by this permission, including the construction of any building, shall be commenced until a scheme to deal with contamination of land (including ground gases and vapours) has been submitted to and approved by the Local Planning Authority (LPA). For the avoidance of doubt the scheme shall include all of the following measures unless otherwise agreed in writing with the Local Planning Authority:
 - i) A desk-top study to formulate a conceptual model of the site. The requirements of the LPA shall be fully established before the desk-study is commenced;

- ii) Once the desk study has been approved by the LPA, a site investigation shall be carried out to identify and evaluate all potential sources and impacts of identified contamination in accordance with the conceptual model. The findings of site investigation shall be presented in report format for approval by the LPA and shall include a risk-based interpretation of any identified contaminants in line with UK guidance;
- iii) Following the approval of both desk-top study and site investigation reports, a written remediation scheme and method statement (the contamination proposals) shall be agreed in writing with the LPA prior to commencement of the development. The contamination proposals shall include provisions for validation monitoring and sampling, including a scheme and criteria for both the use of imported materials and reuse of site-won materials, and be retained throughout the lifetime of the development.
5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified development must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An additional investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority.
 6. The contamination proposals agreed under Condition 4 (and Condition 5 if required) shall be implemented in full and no deviation shall be made from them without the express written agreement of the LPA.
 7. Prior to the first occupation of any of the dwellings hereby approved a completion report confirming the objectives, methods, results and conclusions and demonstrating that the approved contamination proposals have been fully implemented and completed shall be submitted to and approved in writing by the Local Planning Authority.
 8. No development shall commence until full details of the nature conservation enhancement works referred to in the Extended Phase 1 & Phase II Update Surveys (issue date 14/10/13) 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 shall be maintained thereafter for the life of the development.
 9. Full details of works of public art shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to first occupation of the development and shall be maintained thereafter for the life of the development.
 10. No development (other than site clearance works) 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 for the provision of external electric vehicle 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.
12. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
13. Prior to the commencement of development, details of the existing and proposed levels of the site (including finished floor levels), which should be related to those of adjoining land and highways, [including sections in direction xxx] shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved levels.
14. Development shall not begin until details of plans and sections of the lines, widths, levels, gradients and form of construction of service/access roads and drainage systems have been submitted to and approved by the Local Planning Authority.
15. No development shall commence until details of the proposed boundary treatment to the site has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected in accordance with the approved plans prior to the first occupation of any of the dwellings, and shall be retained as such thereafter.
16. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.
17. The Reserved Matters application that includes the layout of the site shall include full details of the diverted Public Right of Way to be provided at the front of the site. The footway shall be provided in full accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter for the lifetime of the development.
18. The Reserved Matters application that includes the Layout of the site shall be accompanied and informed by the conclusions of a Ground Stability Report.
19. The Reserved Matters application that includes the Layout of the site shall be accompanied and informed by a Daylight/Sunlight Assessment.
20. The Reserved Matters application that includes the Layout of the site shall be accompanied and informed by a scheme for noise mitigation with respect to noise sources other than for road traffic, the scope of which shall first be agreed in writing with the Local Planning Authority.



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SCALE: 1:2500 @ A4

REF: JBB8051
 CLIENT: HS Pitt & East India Trading Co 1998 Limited
 DATE: December 2013
 STATUS: Final

CHECKED BY: KE
 DATE CHECKED: 20/12/13
 REVISION: 00
 PREPARED BY: JP

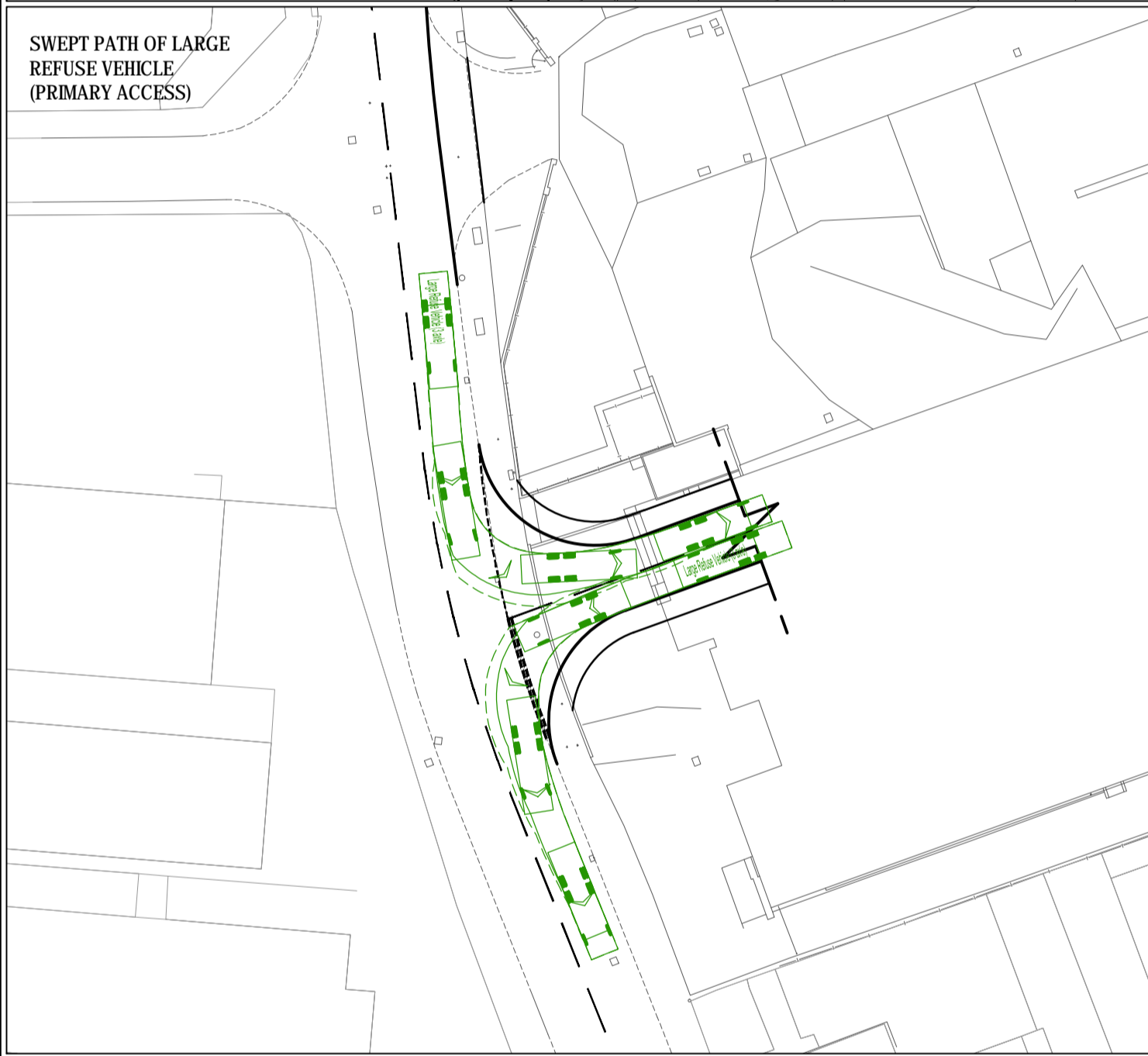
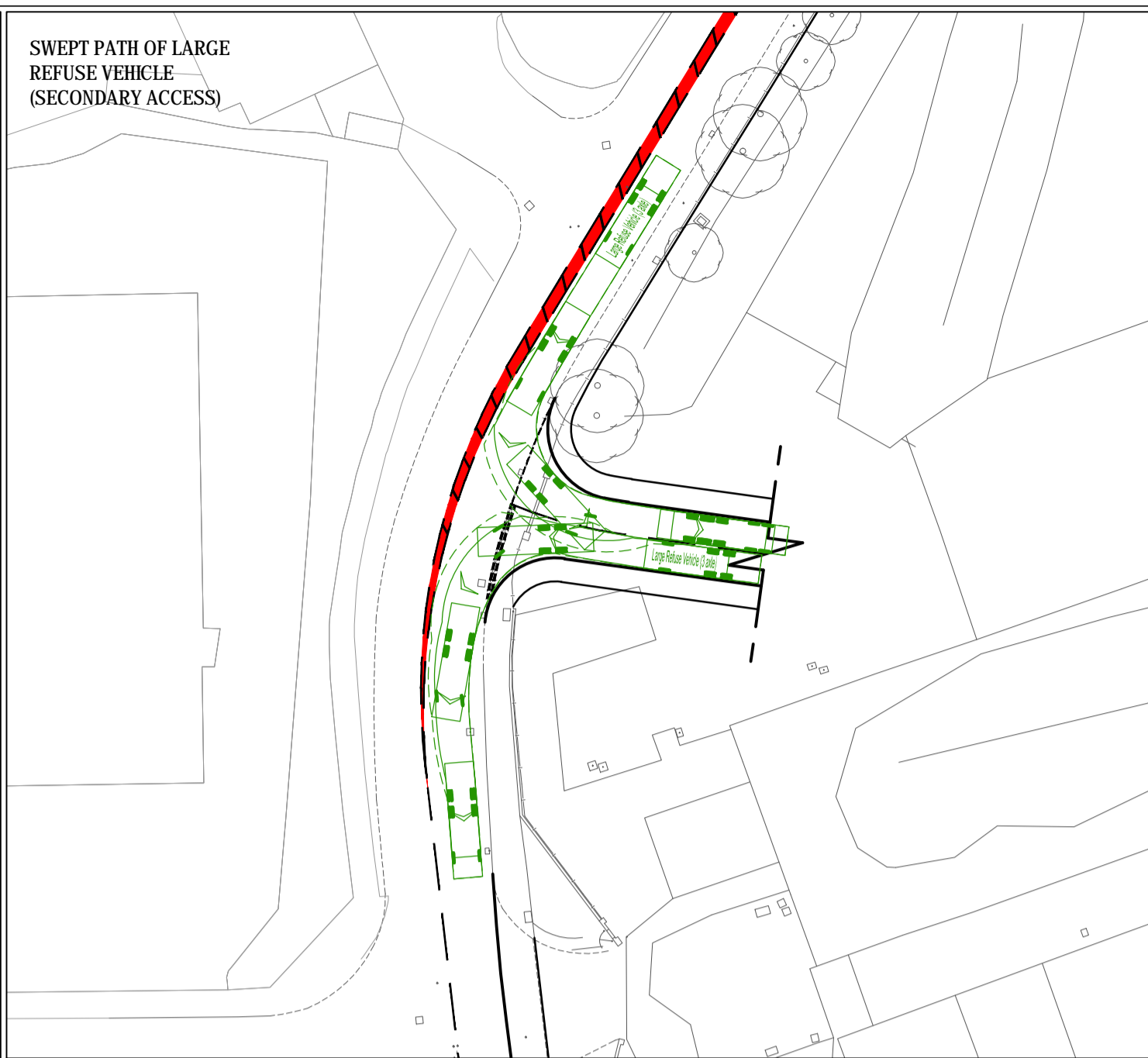
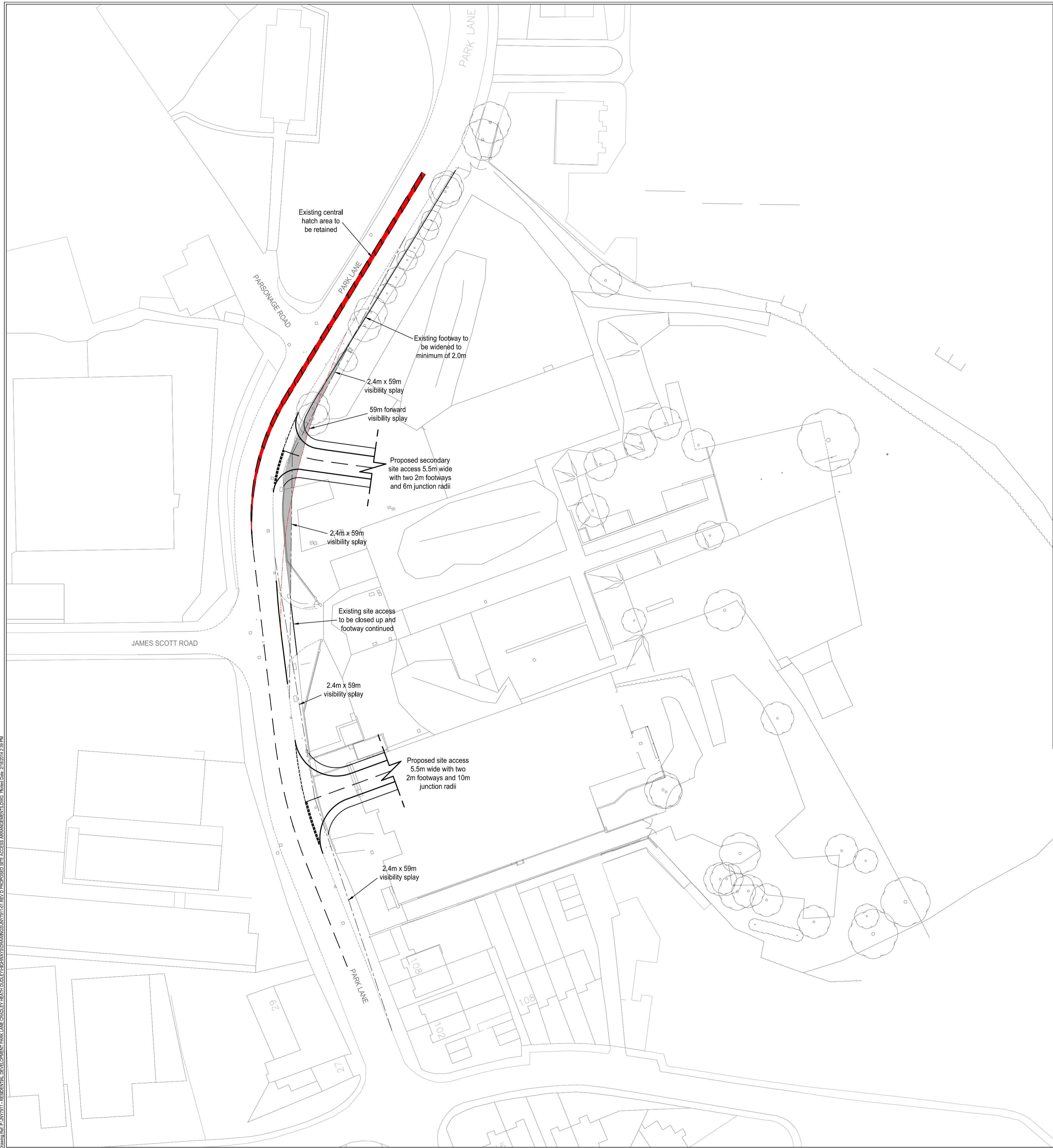


Highfield House, 5 Ridgeway, Quinton Business Park, Birmingham, B32 1AF
 T: 0121 213 5500 F: 0121 213 5502 W: www.rpsgroup.com

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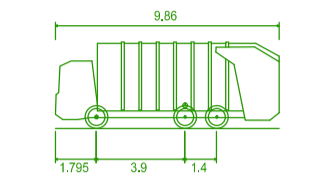


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KEY

Area of site to be retained for visibility purposes



D	Junction radii annotations added	SM	EON	18.02.14	
C	Emergency access replaced with secondary access, additional swept path added and visibility splays amended to suit	SM	EON	13.02.14	
B	Area to be retained for visibility purposes added and spot levels removed for clarity	SM	EON	29.01.14	
A	Junction visibility splays amended, forward visibility splay added, emergency access widened and swept paths added	SM	EON	20.01.14	
rev	amendments		by	ckd	date



Planning and Development
 20 Milton Park
 Abingdon
 Oxfordshire
 OX14 4SH

T +44 (0) 1235 432 190
 W www.rpsgroup.com
 E Transport@rpsgroup.com

Client **H.S. Pitt and East India Trading Company**

Project **Land at Park Lane, Cradley Heath, Dudley**

Title **Proposed Site Access Arrangements**

Drawing Status	Date Created	Drawing Scale
FOR INFORMATION	14.10.2013	1:500
Drawing Size	Project Leader	Drawn By
A1	EON	SM
	Initial Review	
	PJ	

Drawing Number **JNY7911-01** Rev **D**

Transport

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