PLANNING APPLICATION NUMBER: P24/0312

Type of approval sought	Full Planning Permission
Ward	Amblecote Ward
Agent	Mr R. Duncan Mr R. Duncan
Case Officer	Catherine Golightly
Location:	**LAND ADJACENT 15 CULVERHOUSE DRIVE, BRIERLEY HILL, DY5 3FE**
Proposal	**ERECTION OF 3 NO. DWELLINGS AND GARAGE**
Recommendation Summary:	**APPROVE SUBJECT TO CONDITIONS**

SITE AND SURROUNDINGS

1. The application site consists of part of a former brick works site located within the built up area of Brierley Hill, to the south of Brettell Lane. The site, which originally formed part of the wider area approved for housing, has since been excluded from the wider residential development, and along with the adjoining land to the east currently forms an area of privately owned open space. The site consists of a mixture of grassland, scrub and trees. The application site sits outside the Boroughs designated Green Network but is sited within and forms part of the defined boundary of the Clockfields Site of Local Importance for Nature Conservation (SLINC).

2. The application site is bound to the north by modern residential terraces along Perrott Gardens, which have rear elevations and associated amenity garden areas closest to the application site boundary. These properties are sited at a higher ground level to that of the application

site. The land to the west and south comprises of a road network and open spaces that serve the adjoining residential estate. The land to the east comprises of an area of planted woodland that is protected by a Woodland Order, and was planted as a part of an Urban Forest. This area, which is outlined in blue on the submitted site and location plan forms part of the area owned by the applicant.

3. The application site falls within a High Risk Coal Mining area relating to former Coal workings within the vicinity of the site formerly belonging to the Amblecote Opencast Site.

PROPOSAL

4. This application seeks approval for the erection of three detached dwellings with a detached garage to the rear of unit 1.

5. The application is a resubmission of two previously withdrawn applications (P17/0317 and P19/0185) that sought planning permission for four dwellings; and a refused application for three dwellings dismissed at appeal (P21/0006). Application P21/0006 sought similar permission for the erection of three dwellings and a garage that was refused by the Planning Inspectorate as a result of inadequate information being provided to suitably mitigate and compensate for the ecological impacts of the development in this location.

6. This revised application is a similar proposal seeking permission for three detached dwellings, but has been submitted with additional supporting information, including the following reports:

- Amended Design and Access Statement
- Planning Statement
- Amended Landscape and Ecology Management Plan
- Amended Biodiversity Metric Assessment
- Amended Biodiversity Net Gain Metric
- Tree Survey
- Ground Investigation Report
- Contamination Report

7. The proposal seeks the following:
    - Unit 1 would be a 4 bed 7 person dwelling, providing a residential floor area of approx. 150sqm
    - Unit 2 would be a 4 bed 7 person dwelling providing a residential floor area of approx..135 sqm
    - Unit 3 would be a 5 bed 8 person dwelling providing a residential floor area of approx..180 sqm

8. Each dwelling would include off road parking with driveways and garaging to accommodate a minimum of three spaces per dwelling, with soft landscaping areas to the front and private gardens to the rear ranging between approx. 95 and 200sqm per dwelling.

9. The design of the dwellings differ between properties with the final materials to be agreed by condition. The design of the properties would be similar to dwellings within the wider estate which comprise predominantly of modern detached dwellings of varying sizes and designs.

10. In accordance with Biodiversity Net Gain requirements to ensure a minimum 10% gain, proposals are included to provide enhancements and future maintenance to the existing SLINC located to the east of the application site which falls within the applicants ownership. Full details are to be finalised through conditional requirements for a Habitat Management and Monitoring Plan. This is also subject to a monitoring fee of £2,500 to be secured through a S.106 agreement.

HISTORY

11. Relevant planning history:

APPLICATION NO.	**PROPOSAL**	**DECISION**	**DATE**
DB/73/12949	Opencast mining and restoration	Approved with Conditions	04/12/1973
88/51249	Outline – residential development	Approved with Conditions	20/10/1988
88/52877	Erection of 183 dwellings with associated roads and public open space	Approved with Conditions	13/06/1989
98/50240	Residential development for the erection of 55 No. dwellings	Approved with Conditions	07/08/1998
P00/51751	Change of use of land from	Approved	15/12/2000

	residential (approved under 98/50240) to woodland/private open space including retention of re-graded area.	with Conditions	
P17/0317	Erection of 4 no. dwellings	Withdrawn	26/02/2018
P19/0185	Erection of 4 no. dwellings	Withdrawn	16/05/2019
P21/0006	Erection of 3 No. dwellings and garage	Refused Dismissed on appeal	25/05/2022 24/04/2023

Planning Appeal P21/0006:

12. Planning Application P21/0006 was refused at Planning Committee on the 25th May 2022 on the single reason that the development would have a harmful impact on the continuity of the green space and the visual amenity of the area. Members should note that the Planning Inspector's decision, whilst dismissing the appeal, determined that the adverse impacts of the development on the Green Network and nature conservation site could potentially be mitigated and compensated against by securing a suitable management plan to improve the retained parts of the SLINC. The Inspector considered that whilst the scale, layout and design of the development was acceptable and would not cause any undue harm, the lack of information relating to mitigation before them, meant the appeal could not be allowed. The Inspector also noted concerns raised through the application in relation to land stability

and confirmed that the proposal was acceptable subject to conditions relating to further investigation and mitigation/remedial works.

PUBLIC CONSULTATION

13. Neighbour notification has been undertaken by way of letter 11 neighbouring addresses surrounding the site and a site notice has been displayed. As of the 23th October, 227 responses have been received from 170 addresses, with 13 of which being anonymous. In addition, comments have also been received from the former Mayor of the West Midlands, the former MP Suzanne Webb, Councillor Lee, Councillor Eccles, and Councillor Davies. Responses outline the following:
    - House design being out of keeping with the wider estate,
    - The properties are too tall,
    - The development does not respect the existing settlement pattern,
    - Insufficient sized gardens to serve the new dwellings,
    - Loss of privacy and overlooking,
    - Loss of light, sunlight and overshadowing,
    - Loss of views,
    - Light pollution,
    - Air pollution,
    - Noise and disturbance to neighbours,
    - Contravenes Human Rights set out within the European Convention of Human Rights and Human Rights Act,
    - Against the Law on Statutory Nuisance in terms of noise, dust and disturbance,
    - Ecological implications and loss of habitats,

- The proposed mitigation does not sufficiently compensate for the loss of this green space,
- Negative impact on SLINC,
- Loss and damage to protected trees,
- Loss of amenity green space,
- Who is responsible for the active management of the SLINC,
- The development is in contravention with the Wildlife and Countryside Act,
- Loss of Black Country Urban Forest
- Loss of open space, children's play area and dog walking areas,
- Impact on the Green Network and adjacent SLINC,
- Loss of existing footpath through the amenity space,
- Concerns over land stability, unsuitable for development,
- The presence of a high wall will prevent any development on this site,
- Previous reports suggest that land is undevelopable,
- Potential land contaminants being exposed,
- Increase in on street parking issues,
- Displacement of cars and indiscriminate parking on the highway causing obstruction/congestion.
- Increase in traffic volumes to the estate,
- Construction traffic impacting on upgraded road network,
- The road cannot cope with more traffic,
- Previous applications have already been withdrawn/refused on this site,
- No need for any more housing, the Council has met their housing targets,

- The proposed homes will not be affordable properties,
- Other applications for new dwellings have been refused,
- Potential drainage implications,
- Increase in flooding,
- Housing should be located on Brownfield sites,
- Land is not allocated for housing,
- Limited contribution to the Council's housing need,
- Other empty homes should be repurposed for housing,
- Set a precedent for further development,
- Security implications,
- Contrary to health and wellbeing of existing residents,
- Landowner does not maintain the site currently,
- Damage to neighbouring properties,
- Deeds of Dedication and Covenant prevents development of this site,
- Devaluation of properties,
- No need for more housing in Borough.

14. A further response has been received from The Wildlife Trust who have raised objections to the potential damage to the SLINC, potential negative impacts on protected and notable species and on the loss of green space.

15. An undated petition has been provided but this relates to the sale of the land rather than relating to this specific application.

OTHER CONSULTATION

16. Highways Engineer:

Raised no objections subject to conditions being added to secure appropriate access and parking being secured.

Head of Environmental Health and Trading Standards:

Raised no objections to the scheme subject to appropriate conditions being attached to seek a method of controlling dust, emissions and noise during construction.

Head of Planning and Regeneration (Land Contamination):

Raised no objection subject to inclusion of appropriate conditions being attached to ensure the risks associated with ground-based contaminants and gases are identified and mitigated appropriately.

The Coal Authority:

No objections subject to conditions being added to any approval to ensure appropriate site investigations, mitigation and verification is demonstrated prior to any occupation.

Council's Ecologist:

Raised no objection to the loss of the small section of the designated SLINC subject to appropriate conditions being attached to provide suitable mitigation, compensation and enhancement to the wider SLINC.

Council's Tree Protection Officer:

Raised no objection to the loss of the trees within the application site as these are not of sufficient amenity and significance to justify their protection, providing appropriate mitigation is secured to account for their loss.

RELEVANT PLANNING POLICY

17. National Planning Policy Framework (NPPF) 2023

National Design Guide (2019)

Black Country Core Strategy 2011

- DEL1 Infrastructure Provision
- ENV1 – Nature Conservation
- ENV2 - Historic Character and Local Distinctiveness
- ENV3Design Quality
- HOU1 Delivering Sustainable Housing Growth
- HOU2 Housing Density, Type and Accessibility
- CSP4 Placemaking
- TRAN2 Managing Transport Impacts of New Development

Dudley Borough Development Strategy 2017

- S1 – Presumption in favour of Sustainable Development
- S6 - Urban Design
- S8 - Local Character and Distinctiveness
- S19 – Green Network,
- S17 - Access & Impact of Development on the Transport Network

- S21 - Nature Conservation Enhancement, Mitigation and Compensation
- S22 - Mature Trees, Woodland and Ancient Woodland
- L1 - Housing Development, extensions and alterations to existing Dwellings
- D2 - Incompatible Lane Uses
- D3 - Contaminated Land
- D4 - Unstable Land
- D5 – Noise Pollution
- D6 – Light Pollution

Supplementary Planning Guidance

- Parking Standards SPD (2017)
- Residential Design Guide SPD (2023)
- Nature Conservation SPD (2016)
- Planning Obligations SPD (2016)

ASSESSMENT

18. The determining issues in the assessment of this application are:

- Policy,
- Principle,
- Layout/Design/Proposed Amenities,
- Neighbours Amenities,
- Highway safety
- Trees
- Ecology/Biodiversity Net Gain

- Land Stability
- Financial Considerations
- Other matters

Policy

19. The current version of the National Planning Policy Framework (NPPF) was adopted in 2023 and has retained its presumption in favour of sustainable development. The main thrust of the NPPF is to create economic growth, whilst supporting strong, vibrant and healthy communities, as well as seeking to protect and enhance the natural and built environment. This presumption in favour of sustainable development outlines that decision makers should approve development proposals that are in accordance with an up-to-date development plan without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

20. In respect of housing, the NPPF refers to the importance of providing additional housing supply, highlighting in Paragraph 70 that small sites can make an important contribution of meeting housing requirements in local areas. Paragraph's 123 and 124 of the NPPF expresses the need to make effective use of land in meeting the need for homes, while safeguarding and improving the environment; ensuring that decisions *"encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains".*

21. The NPPF outlines, when considering the ecological impacts of development the primary objective is to conserve and enhance biodiversity, whilst recognising that *"opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature"* (paragraph 186).

22. In considering land instability matters, the NPPF seeks to ensure proposals take account of ground conditions and any risks arising from contamination, ensuring that land instability is addressed. However, it highlights that the responsibility for securing safe developments rests with the developer and/or landowner.

23. The above national policies are supported and reinforced at the local level by the Black Country Core Strategy, the Dudley Borough Development Strategy and subsequent SPD's, including the Residential Design Guide, Parking Standards and Nature Conservation SPDs' which shape decision making within the Borough.

24. Of particular note is Policy ENV1 of the Black Country Core Strategy which outlines that *"Adequate information must be submitted with planning applications for proposals which may affect any designated site or any important habitat, species or geological feature to ensure that the likely impacts of the proposal can be fully assessed. Without this there will be a presumption against granting permission."*

25. In addition, Policy S21 of the Dudley Borough Development Strategy outlines that *"Dudley Council will safeguard and enhance designated nature conservation sites, habitats and features through the*

development process and in accordance with the Core Strategy, in particular Policy ENV1. Developments in the Borough will be positively encouraged where they demonstrate improvements, expansion or increased links to nature conservation sites, evidenced from up-to-date ecological surveys." This policy goes on to outline that exceptionally where the "*benefits of a development outweigh the nature conservation importance of the area impacted upon, Dudley Council will ensure any damage or loss of nature conservation assets is fully offset by additional nature conservation improvement works. It will be expected that these will normally be accommodated on-site. However where there are exceptional circumstances, which prevent this, off-site works will be required instead."*

26. Policy S22 - Mature Trees, Woodland and Ancient Woodland - of the Dudley Borough Development Strategy promotes the protection of trees within the Borough and outlines that *"where trees are affected by development, applicants will be required to provide full details of any impact. Proposals involving the loss of mature and semi-mature trees will normally be required to include replacement tree planting."*

27. Policy D4 – Unstable Land - of the Dudley Borough Development Strategy outlines that *"Where it is known or suspected that land stability may have an impact on any development or works to upgrade the local environment, planning applications must be accompanied by sufficient proportionate information to determine the extent of the instability. The developer will be required to undertake an assessment of the potential of such works to mitigate against, or ensure that there are no significant adverse impacts on controlled waters and geological features of value."*

Principle

28. The proposed development would be sited on an area of privately owned open amenity space that is located within a predominantly residential area. The site is within a sustainable location within a built-up area close to a variety of services including access to public transport. The principle of residential development would contribute to the Councils need for additional housing and its residential use would be in accordance with the wider land uses and in accordance with both local and national policy. Therefore, the principle of development should not be resisted subject to considerations of other material planning matters as outlined below in this report.

Layout/Design/Proposed Amenities

29. The proposal seeks a very similar proposal to that considered by the Inspector. Given their support for the principle in terms of siting, design and layout, there is no resistance to the development in this respect.

30. The density of the development at approx. 25 dwellings per hectare would be slightly lower than that of the average densities in the immediate surrounding area which is approx. 36.6 dwellings per hectare. As such, the density would not be significantly out of keeping with the established densities within the wider estate. Notwithstanding objections raised regarding the development being out of keeping with the estate, suggesting that the development fails to respect the existing settlement pattern locally, as indicated within the previous appeal

decision letter, the development would form an acceptable scale of residential development within this location.

31. The proposed development would have a layout that would front onto the highway, with appropriate soft landscaping areas and planting that would have a good relationship to the existing road network, enhancing the visual amenity of the site by removing the appearance of established rear boundaries from the wider street scene. The property layouts, plot sizes and their respective gardens would be of an appropriate size and layout to provide a good standard of residential accommodation and amenity for the future occupiers. This is in accordance with the Nationally Described Space Standards and the Residential Design Guide SPD.

32. The appearance of the dwellings would be a modern build with traditional materials with contemporary embellishments. The external appearance of the dwellings would complement the visual appearance of the wider residential estate in terms of the scale and mass, with similar contrasting styles and varying roof heights. The proposed dwellings would be seen in a wider residential context which, except for the terraced units to the north, comprises predominantly of larger detached properties of varying designs that are defined by soft landscaped frontages with private parking areas. Therefore, the scale and design of the dwellings would not have any significant adverse impact upon the character of the area., As such, the proposal would be in accordance with Policies HOU2, ENV2, ENV3 and CSP4 of the Black Country Core Strategy, Policies S6 and L1 of the Dudley Borough Development Strategy and the Residential Design Guide SPD

Neighbours Amenities

33. The development complies with the Council's distance separations standards as outlined in the Residential Design Guide SPD. Notwithstanding objections received in regard to loss of light, outlook and privacy, the proposed development would exceed the recommended 22m interface distance separation guidance between the rear elevations of the proposed dwellings and the opposing rear elevations of existing dwellings. It is also noted that the proposed garage to the rear of Unit 1 would meet with the recommended 14m distance separation guidance with No.s 6 and 7 Perrott Gardens. Furthermore, the proposed dwellings are sited at a lower ground level to that of neighbouring dwellings to the rear, which further reduces the impact to the existing dwellings.

34. Comments have also been raised suggesting the development would appear overbearing to properties fronting Perrott Gardens. However, given the difference in ground levels between the existing and proposed dwellings there would be no demonstrable overbearing impact on these properties. In order to ensure appropriate levels are provided a condition is attached requiring existing and proposed level plans to be submitted prior to the commencement of development.

35. Therefore, and notwithstanding the objections received in terms of the impact upon neighbouring amenities, the proposed development would comply with the spatial standards contained within the Residential Design Guide SPD and subject to appropriate conditions, the development would provide reasonable protection of the amenities of neighbouring residents in accordance with Policy L1 of the Dudley

Borough Development Strategy. As such, there are no sustainable reasons for refusal of the application on these grounds.

Highway Safety

36. The proposal is a modest form of development to secure three dwellings, the nature and scale of which would have limited increase in the number of trip generations and traffic flows locally. Issues regarding the upkeep and maintenance of the roads within the estate are noted, however this is a separate matter that cannot be taken into account during the assessment of this application.

37. The development provides a minimum of three parking spaces per unit which is in accordance with the required parking standards contained within Parking Standards SPD for 4/5 bedroomed dwellings. The parking spaces are of an acceptable width and depth to exceed the minimum standards at 2.5m x 5.3m as outlined in this policy. Therefore, the development is considered to secure an appropriate level and quality of parking to serve the property, to prevent the displacement of cars onto the highway. There are no objections from the Highway Engineer and as such access and parking is in accordance with the requirements of Policy S17 of the Dudley Borough Development Strategy and the Parking Standards SPD.

Trees

38. The application has been submitted with an Arboricultural report which has been assessed by the Council's Tree Protection Officer including a site inspection to assess the impact of the development on trees. The submitted Arboricultural report identifies a group of Category C trees (G1) that are centrally located within the site. These trees whilst being protected by a woodland Tree Preservation Order comprise of juvenile specimens that have a density less than that of the adjacent woodland and is of a lesser quality and age to those early mature specimens that are sited within the adjacent land to the north and east of the application site. As such, the Tree Protection Officer has raised no objection to the loss of these category C trees providing the two Category B and one Category C trees that are of most note (beyond extreme rear boundary of the site) are protected as part of the development. Appropriate tree protection measures are conditioned accordingly.

39. The Councils Tree Protection Officer therefore confirms that the net loss of the juvenile specimens within the application site would not have a sufficiently detrimental impact on the wider amenity to warrant a refusal of the application. Furthermore, suitable mitigation would be put in place by condition to compensate for the loss of the trees, by way of replacement tree planting and additional landscaping measures to enhance the visual amenity of the proposed development and the wider area in accordance with Policy S22 of the Dudley Borough Development Strategy.

40. It is noted that objections have referred to a 99 year Deed of Dedication. Whilst the LPA have not received a copy of this deed, it appears to

relate to the protection of the Urban Forest as a legal agreement between land owners and the Millennium Commission (role transferred to the Lottery Fund). Members should be aware that such deed agreements fall outside the assessment of a planning application and should not be considered as part of this submission. Should the site be affected by such a Deed, then this would be a private legal matter for the landowner/developer.

Ecology/Biodiversity Net Gain

41. The application has been submitted with a Landscape and Ecology Management Plan, a Biodiversity Net Gain Metric and Biodiversity Metric Assessment which proposes various ecological mitigation and enhancement measures to address the concerns raised by the Inspector.

42. As identified within the submitted assessments, it is noted that no protected species were recorded on site at the time of the survey, but precautionary working measures and mitigation measures can be provided through management plans, and these will be secured by the recommended conditions. Furthermore, additional habitat enhancement measures and mitigation would also be secured through the provisions set out in the Landscape and Ecology Management Plan, and suitable management and monitoring will be secured to enhance the existing habitats to suitably compensate for the loss of the modest ecological contribution that the application site contributes to the wider SLINC. This approach was promoted by the Inspector in the appeal decision notice, who considered that such mitigation and compensation would be

an appropriate approach to overcome the adverse impacts of the development on the remainder of the SLINC. It should be noted that at the time of that previous decision, statutory Biodiversity Net Gain requirements had not yet been introduced which requires development, except where exempt, to achieve a minimum of 10% net gain and that such gains are maintained for a minimum of 30 years.

43. Having regard to the recommendations provided by the Council's Ecologist, suitable ecological enhancement and compensation can be secured by condition to enhance the ecological value of the remainder of the SLINC. The benefits of the BNG requirements to be provided by the developer, which in this instance are in excess of the 10% requirement (circa 60%), along with the maintenance over a 30 year period, add sufficient benefits to the overall proposal. Such mitigation would sufficiently compensate for the loss of the small section of the SLINC and supports the maintenance of the remaining enhanced land that would have otherwise suffered the potential of decline due to the lack of management intervention. The BNG long term management requirements and the long-term ecological enhancement gains would be secured by a condition, along with a Section 106 agreement with the landowner requiring a monitoring fee which cover's the Council's monitoring of the BNG over the 30 year period. It should be noted that such conditions and obligations run with the land and not individual landowners.

44. Therefore, and in line with the recommendations made by the Inspector, this revised application has been submitted with suitable management plans and biodiversity enhancement measures to suitably protect and enhance the ecological merits of the SLINC to overcome the Inspectors

reason for refusal in terms of the potential damage to the Green Network and nature conservation.

45. Therefore, there are no sustainable grounds to warrant the refusal of this application providing the suggested landscape and ecological management and enhancement measures are secured by condition and S.106 agreement.

Land Stability

46. The application site is located within a high risk coal mining area and within an area that historically suffers from instability due to previous industrial activities on site. Understandably this is a significant concern to local residents with issues raised around previous development of the site which did not come forward due to the associated risks. The National Planning Framework is clear in para. 190 that where a site is affected by land stability issues, responsibility for securing a safe development rest with the developer or landowner. However, planning decisions should also ensure a site is suitable for its proposed use, taking account of matters such as former mining activity. In this instance the application has been submitted following further ground work investigations and has been submitted alongside a robust Coal Mining Risk Assessment which identifies the need to provide appropriate ground stabilisation and mitigation measures to ensure any future development will be safe and stable, such matters that can be secured by condition. The information submitted makes it clear that the developer is aware of the risks but also sets out the need for suitable investigation and mitigation to take place prior to any commencement of

development. This information has been reviewed by the Coal Authority who are the relevant authority consulted on this application and in line with their response, conditions are attached to ensure further investigations are undertaken to establish the extent of mitigation and remedial works required to secure appropriate development of the site. Such conditions require details to be submitted to and approved by the LPA before any works can begin on site, thereby ensuring the Council complies with its requirements to ensure the site is suitable in accordance with the NPPF and Policy D4 of the Dudley Borough Development Strategy.

Financial Considerations

47. 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' may be taken to cover the payment of New Homes Bonus, or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy (CIL).

48. The clause does not change the law in any way. It is not a new basis for planning policy and it remains unlawful for planning permissions to be 'bought'.

49. This proposal would provide an additional three dwellings generating a New Homes Bonus grant of three times the national average council tax for the relevant bands.

50. The proposed dwellings are located in a Zone 1 area which has a £0 (zero) charging rate for CIL for residential development proposals. As such, a financial CIL contribution is not therefore required on this occasion.

51. The Council is required to monitor the management of the BNG enhancements for the 30 year period. In order to secure funds to carry out this monitoring, a Section 106 Agreement needs to be entered into. For minor applications, the LPA has set a fee of £2,500 to cover the costs of this monitoring. This obligation is in accordance with the relevant tests that it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Other Matters

52. Comments received as part of the consultation process have highlighted a number of non-material planning considerations, for example, the loss of a view, and the effect on property prices and the impact on the existing drainage system. However, such matters do not form material planning matters that can be taken into consideration as part of the decision making process.

53. In addition to the above, further objections have been raised regarding the loss of access over the land for dog walking and as a play area. However, it is noted that this land is private and there is no established right of way or public amenity space that would be lost through the principle of redevelopment on this land.

54. Whilst further objections have been raised in terms of possible impact on safety, the proposed layout and siting of the dwellings would eliminate the exposed rear boundaries of those properties along Perrott Gardens, thereby providing more protection to the rear boundary for these residents. Furthermore, the siting of new dwellings in this location would provide greater visual natural surveillance over public areas which would enhance security in this location.

CONCLUSION

55. The development would create an appropriate form of residential development in a sustainable location. The scale, design and layout of the proposed dwellings would create appropriate, proportionate additions to the site and would provide suitable parking and private amenity space. Subject to appropriate conditions relating to trees and ecology, including BNG requirements secured through a S.106 agreement, the limited harm created by the loss to part of the SLINC would be sufficiently mitigated. Furthermore, matters relating to former mining and land stability are controlled by conditions that seek to ensure safe development. As such, the development would comply with the policy principles contained within the NPPF, the National Design Guide, Policies contained within the Black Country Core Strategy; Policies within the Dudley Borough Development Strategy, and the

advice given in the Residential Design Guide SPD and the Parking Standards SPD.

RECOMMENDATION

56. That planning application P24/0312 should be approved subject to the prior completion of a Section 106 Legal Agreement to secure the following;

a) Biodiversity Net Gain Monitoring Fee of £2500

b) Payment of the Council's reasonable legal fees associated with the legal agreement

In the absence of a suitable legal agreement being completed to the satisfaction of the Local Planning Authority on or before 02/12/2024, or such later date as may be authorised by officers under delegated powers, the planning permission be refused for the following reason:

1.) The development requires a Section 106 agreement to be secured to ensure suitable long term Biodiversity Net Gain maintenance and monitoring can be secured for a period of 30 years. However, no such agreement has been reached, and therefore, the necessary Biodiversity Net Gain upgrades and obligations cannot be secured.

That in the event of the planning obligation being completed to the satisfaction of the Local Planning Authority on or before 02/12/2024, or such later date as may be authorised by officers under delegated powers, favourable consideration be given to this application subject to the conditions

listed below. Delegated authority is also agreed to amend, delete or add conditions to the list below subject to it not fundamentally altering the decision made.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   REASON: To comply with Section 91(1) of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the following plans and amended plans: INSERT
   REASON: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the commencement of above ground works a written schedule 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 unless otherwise agreed in writing by the Local Planning Authority.
   REASON: To ensure the satisfactory appearance of the development in accordance with BCCS Policy ENV2 - Historic Character and Local Distinctiveness and Saved UDP Policies DD1 - Urban Design and Borough Development Strategy 2017 Policy S6 Urban Design and
   Policy L1 Housing Development, extensions and alterations to existing dwellings
   Policy D2 Incompatible Land Uses (in part)
4. Work shall not begin on the demolition and construction of the development until a method statement for the control of dust and emissions arising from the demolition and construction of the development has been submitted to and approved in writing by the local planning authority. All works which form part of the approved method statement shall be implemented throughout the construction and demolition phase of the development.
   REASON: To minimise the impacts to air quality associated with the

development and to protect the health and well-being of residents in accordance with BCCS Policy ENV8 - Air Quality.

5. Demolition or construction works shall only take place between the hours of 07:00 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 17:00 hours on Saturdays and not at any time on Sundays or Public Holidays.
   REASON: To protect the amenities of nearby residents in accordance with Borough Development Strategy 2017 Policy D5 Noise Pollution, Policy L1 Housing Development, extensions, and alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part).
6. No development shall commence until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
   REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.
7. Where the approved risk assessment (required by condition 6 above) identifies contamination posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such contamination has been submitted to and approved in writing by the Local Planning Authority. A validation and verification plan must be formulated, form part of the remediation scheme and be approved by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.
   REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land and the NPPF.
8. Following implementation and completion of the approved remediation scheme (required by condition 7 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with

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

9. No development shall commence until an assessment of the risks posed by any ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.
REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.
10. Where the approved risk assessment (required by condition 9 above) identifies ground gases or vapours posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such ground gases or vapours has been submitted to and approved in writing by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON: These details are required prior to the commencement of development to ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land.
11. Following implementation and completion of the approved remediation scheme (required by condition 10 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.
REASON: To ensure that the risks associated with any ground gases or vapours have been reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure

that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land and the NPPF.

12. In the event that contamination is found at any time when carrying out the approved development which was not previously identified, development shall STOP on that part of the site affected by the unexpected contamination and it must be immediately reported in writing 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, which shall be submitted to and approved in writing of the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that the risks associated with any contamination are reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with Borough Development Strategy 2017 Policy D3 Contaminated Land and the NPPF.

13. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until details of the access(es) into the site, together with parking and turning area(s) [including details of lines, widths, levels, gradients, cross sections, drainage and lighting] have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access(es) into the site, together with parking and turning area(s) within the site have been laid out in accordance with the approved details. These area(s) shall thereafter be retained and not be used for any other purpose for the life of the development.
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings
Policy D2 Incompatible Land Uses (in part)
and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

14. No development shall commence (excluding demolition, site clearance and initial ground works) until detailed plans and sections showing existing site levels and proposed ground floor levels of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in complete accordance with the approved details.
REASON: In the interests of the visual amenities of the area and to

safeguard the amenities of occupants of neighbouring properties and to comply with BCCS Policies CSP4 - Place-Making and ENV2 - Historic Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings
Policy D2 Incompatible Land Uses (in part).

15. No part of the development shall be occupied until visibility splays to the new access have been provided at the junction between the proposed means of access and the highway with an 'x' set back distance of 2.4 metres and a 'y' distance of 2.4 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings, Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

16. No part of the development shall be occupied until visibility splays to the new access have been provided at the junction between Perrott Gardens and Culverhouse Drive with an 'x' set back distance of 2.4 metres and a 'y' distance of 33 metres. No structure or vegetation exceeding 600mm in height above the adjoining highway shall be placed or allowed to grow within the visibility splay for the life of the development unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings, Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any order revoking and re-enacting that order), no fences, gates or walls, other than those shown on the plans attached hereto, shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a highway.
REASON: In the interests of the visual amenities of the area and to comply with BCCS Policies TRAN2 - Managing Transport Impacts of New Developments, CSP4 - Place-Making and ENV2 - Historic

Character and Local Distinctiveness and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part)

18. No above ground development shall begin until details of the types, sizes and locations of the boundary treatments around the site and between the proposed plots has been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be carried out in complete accordance with the approved details prior to the occupation of the dwellings hereby approved and shall thereafter retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority

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

Policy L1 Housing Development, extensions and alterations to existing dwellings

Policy D2 Incompatible Land Uses (in part)

This detail is required prior to the commencement of above ground works as the required works may need to be incorporated into buildings on the site and as well as needing to protect the amenity of existing and proposed occupiers.

19. No development shall commence (excluding demolition, site clearance and initial ground works) until full details of the soft landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following first occupation of the development.

Any trees or shrubs planted in pursuance of this permission including any planting in replacement for which is removed, uprooted, severely damaged, destroyed or dies within a period of five years from the date of planting shall be replaced by trees or shrubs of the same size and species and in the same place unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to make a positive contribution to place-making and provide a high quality landscaping in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local

Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 - Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part). This detail is required pre commencement (excluding demolition, site clearance and initial ground works) as landscaping is integral to providing a high quality and sustainable development.

20. No above ground development shall commence until details of the types, colours and textures of the materials to be used in the hard surfacing of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved details and retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
REASON: In order to make a positive contribution to place-making and provide a high quality landscaping in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision Borough Development Strategy 2017 Policy S6 Urban Design and
Policy L1 Housing Development, extensions and alterations to existing dwellings
Policy D2 Incompatible Land Uses (in part)
This detail is required as landscaping is integral to providing a high quality and sustainable development.

21. Prior to first occupation details of the relocation of the lighting column shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the lighting column has been relocated in accordance with the approved details.
REASON: In the interests of highway safety and to comply with Borough Development Strategy 2017 Policy S6 Urban Design, Policy L1 Housing Development, extensions and alterations to existing dwellings, Policy D2 Incompatible Land Uses (in part) and policies CSP5, DEL1, TRAN2, CEN8 and TRAN5.

22. 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 agreed tree protection measures shall be erected / installed prior to the commencement of 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), and shall not be taken down moved or amended in any way without prior written approval of the local planning authority. The tree protection 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'.

REASON: To ensure that those trees and hedges to be retained on the development site are not subject to damage because of either works carried out on site or during the carrying out of such works in accordance with the Borough Development Strategy 2017 Policy S22 Mature Trees, Woodland and Ancient Woodland (in part).

23. 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.
REASON: To ensure that all tree works carried out on site are appropriate and justified in line with the proposed development and the safeguarding of the visual and environmental amenity in accordance with policy with the Borough Development Strategy 2017 Policy S22 Mature Trees, Woodland and Ancient Woodland (in part).

24. The existing trees shown on the approved plans to be retained shall not be damaged or destroyed, uprooted, felled, lopped or topped during the construction period of the development without prior written consent of the local planning authority. Any trees removed without such consent or dying or being seriously damaged or diseased during that period shall be replaced with healthy trees of such size and species as may be agreed in writing by the Local Planning Authority.
REASON: To maintain the visual and environmental quality of the site and surrounding area in accordance with the Borough Development Strategy 2017 Policy S22 Mature Trees, Woodland and Ancient Woodland (in part).

25. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Conditions 26-29 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to
i) establish if there have been any changes in the presence and/or abundance of important habitats or species; and
ii) identify any likely new ecological impacts that might arise from any changes.
Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.
IMPORTANT: If any protected species are identified in the new surveys that were not previously known to be on site, and are likely to be harmed by the development, then a protected species licence might be required before works can commence.
REASON: In line with national policies for the preserving and

enhancing of the natural environment (NPPF, 2023), Policy ENV1 of the Black Country Core Strategy and in accordance recommendations made within the Preliminary Ecological Appraisal by Worcestershire Wildlife Consultancy update surveys would be required to ensure that significant changes do not occur to the site before the commencement of development.

26. No development shall take place (including further demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
Drainage and pollution control measures and sensitive lighting schemes for the duration of the construction phrase should be implemented specifically to protect the adjacent SLINC.
Precautionary working measures for faunal species should also be detailed in line with the recommendations made within the Ecological Walkover Survey report submitted alongside the application produced by Middlemarch Environmental (Report Number: RT-MME-160628-01). Any update recommendations that might come from pre-commencement surveys should also be appropriately detailed.
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.
The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
REASON: To ensure the provision, protection and maintenance of the site's ecology and comply with BCCS Policies ENV1 - Nature Conservation, CSP3 Environmental Infrastructure and DEL1 - Infrastructure Provision and Borough Development Strategy 2017

Policies S19 Dudley Borough's Green Network and S21 Nature Conservation Enhancement, Mitigation and Compensation.

27. Prior to the first occupation of the buildings hereby permitted a suite of artificial nesting and/or roosting boxes shall be submitted to and approved in writing by the Local Planning Authority. The type and location of the features should be informed by the recommendations made within Landscape and Ecological Management Plan (LEMP) submitted alongside the planning application produced by Middlemarch Environmental Ltd (Report Number: RT-MME-160628-03 Rev A) and the scheme shall then be undertaken in accordance with the agreed details.
The following artificial nesting/roosting boxes shall be provided:
a) A total of 5 woodcrete bat boxes suitable for small crevice dwelling bat species
b) A total of 5 woodcrete artificial nesting boxes suitable for bird species such as robin, blackbird and tit species
REASON: To ensure the provision of roosting/nesting opportunities for wildlife in accordance with the National Planning Policy Framework and to ensure the provision, protection and maintenance of the site's ecology and comply with BCCS Policies ENV1 - Nature Conservation, CSP3 Environmental Infrastructure and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policies S19 Dudley Borough's Green Network and S21 Nature Conservation Enhancement, Mitigation and Compensation.

28. Prior to the erection of any external lighting on the site a lighting plan, including the details of the specification and design of the fixtures to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.
The submitted scheme should be designed in accordance with Bat Conservation Trust/ Institution of Lighting Professionals Guidance Note 08/23 'Bats and Artificial Lighting at Night' and guidance provided within the Landscape and Ecological Management Plan (LEMP) submitted alongside the planning application by Middlemarch Environmental Ltd (Report Number: RT-MME-160628-03 Rev A), to help minimise the impact artificial lighting.
REASON: To minimise disturbance to bats, a European Protected Species as well as other nocturnal species.

29. Prior to the commencement of development hereby permitted, a Habitat Management and Monitoring Plan (HMMP), based on the relevant template developed by Natural England and in accordance

with an approved Biodiversity Gain Plan (BGP), shall be submitted to and approved in writing by the Local Planning Authority. The habitat retention, creation and enhancement specified within the HMMP shall then be implemented in full and managed for a period of at least 30 years in accordance with the agreed HMMP from completion of the habitat creation and enhancement works. Monitoring reports shall be submitted to the Local Planning Authority, using the relevant template developed by Natural England, in accordance with the monitoring intervals set out in the agreed HMMP.
REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

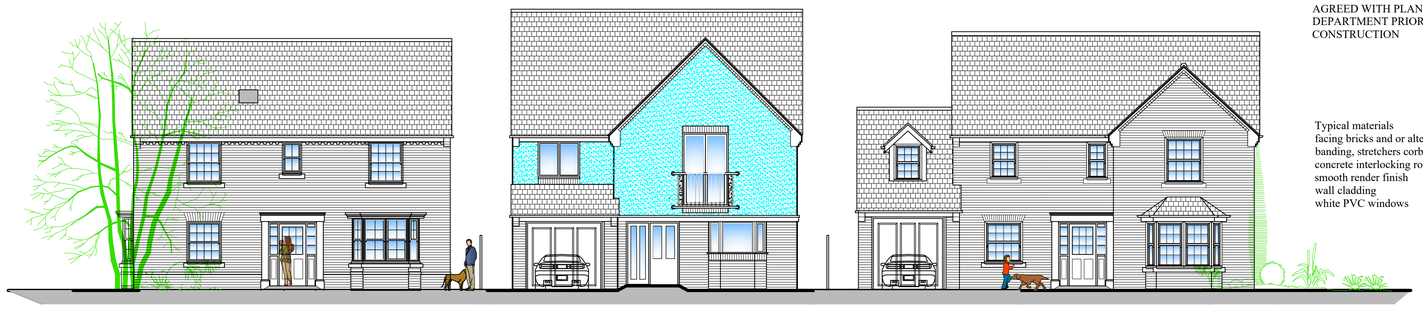
30. No development shall commence until;
a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. This should include the submission of the approved site layout plan to illustrate the position / delineation of the opencast highwall(s) and how this relates to the approved layout.
The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.
REASON: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

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

REASON: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to
be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

32. The garage hereby permitted that is associated to Unit 1 of the development shall not be occupied at any time other than for purposes ancillary to the residential use associated with this dwelling and shall not be sold, occupied or let separately from the main dwelling house without the express grant of planning permission.
REASON: In the interests of neighbour and occupier amenity, and to ensure there is no shortfall in car parking in accordance with BCCS Policy TRAN2 - Managing Transport Impacts of New Development and Borough Development Strategy 2017 Policy L1 Housing Development, extensions and alterations to existing dwellings and Policy D2 Incompatible Land Uses (in part).
Policy D2 Incompatible Land Uses (in part).

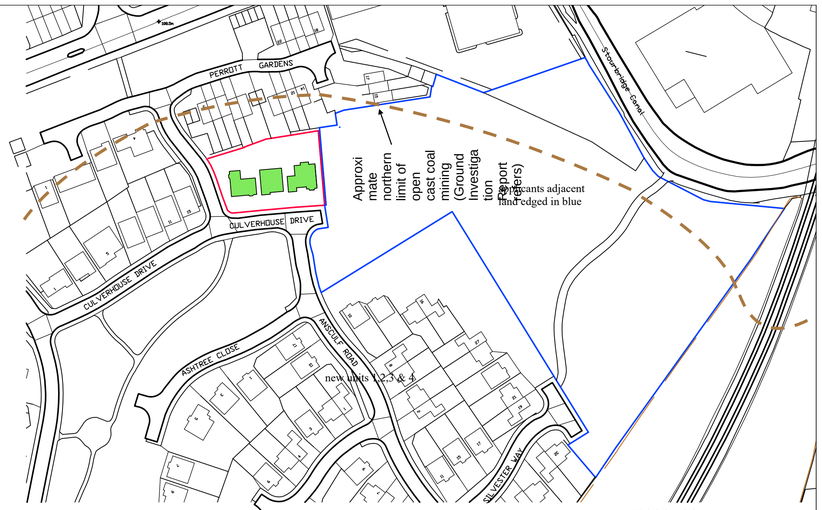
33. The landscaped areas shall be retained in the form shown on the approved plan throughout the life of the development and shall not be used for any other purpose, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To preserve the character and visual amenities of the area, in accordance with BCCS Policies CSP4 - Place-Making, ENV 2 Historic Character and Local Distinctiveness, ENV3 - Design Quality and DEL1 - Infrastructure Provision and Borough Development Strategy 2017 Policy S6 Urban Design and Policy L1 Housing Development, extensions and alterations to existing dwellings



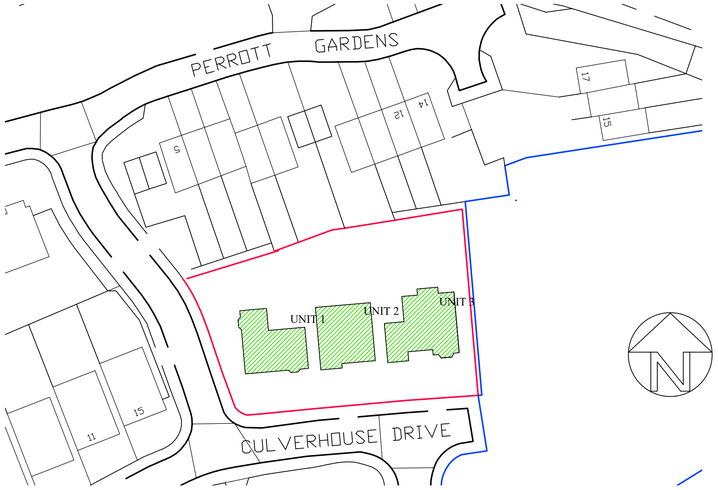
ALL MATERIALS TO BE AGREED WITH PLANNING DEPARTMENT PRIOR TO CONSTRUCTION

Typical materials
facing bricks and or alternative banding, stretchers corbelling
concrete interlocking roof tiles
smooth render finish
wall cladding
white PVC windows

STREET SCENE fronting Culverhouse Drive



LOCATION PLAN scale 1:1250



BLOCK PLAN
scale 1:500

SITE PLAN
scale 1:100

Rev D May 2021 garage unit 1
Rev C March 2021 dwelling omitted
Rev B December 2020 site plan
Rev A Sept 2020 site plan

Project Name

Land adjacent
15 Culverhouse Drive
Brierley Hill
Dudley DY5

Drawing Name

Street sceen, site plan, location plan
Second scheme

AEC
Architectural & Engineering Consultants

AEC
59 Pave Lane
Chetwynd Aston
Newport
Shropshire
TF10 9LQ

Telephone: 01952 812220
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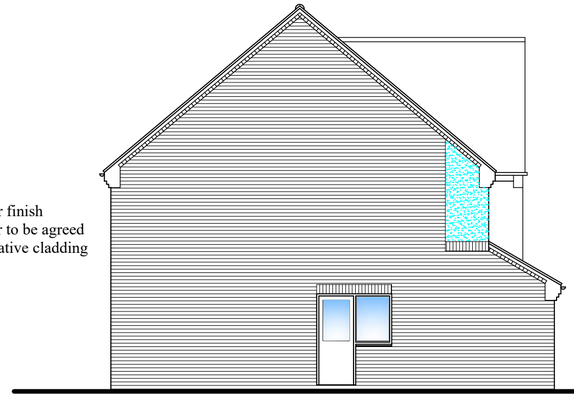
Scale	Date
1:100 1:1250 1:500 @ A1	September 2020
Drawn by	Checked by
Plot Date	

Drawing No.	Revision
3050/1	E

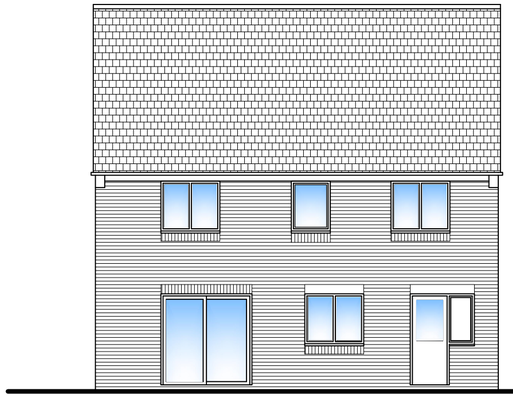
AutoCAD reference:

FRONT ELEVATION

render finish
colour to be agreed
alternative cladding
finish



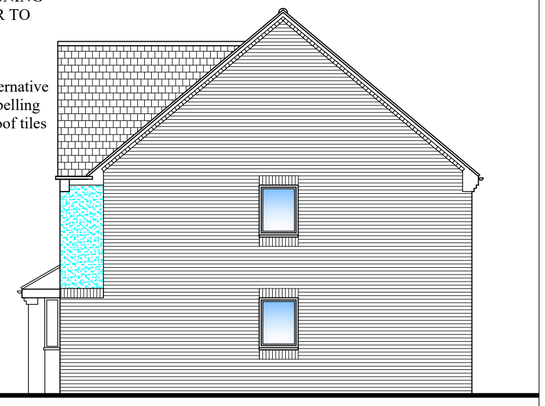
SIDE ELEVATION



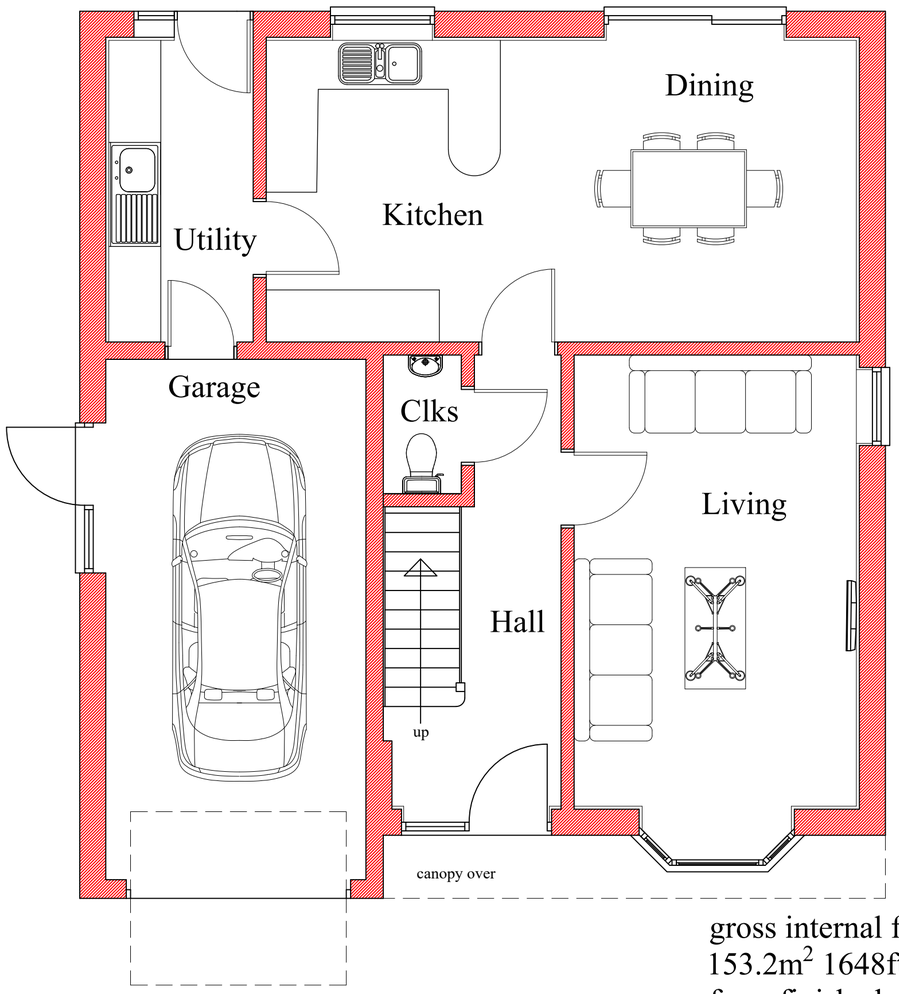
REAR ELEVATION

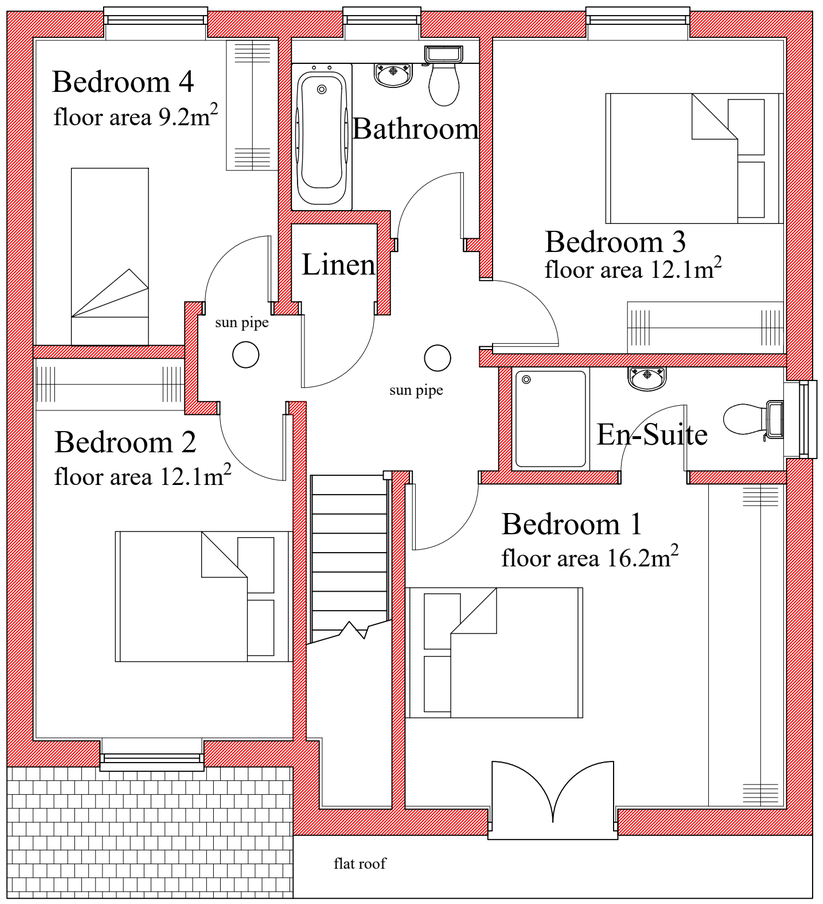
ALL MATERIALS TO BE AGREED WITH PLANNING DEPARTMENT PRIOR TO CONSTRUCTION

Typical materials
facing bricks and or alternative
banding, stretchers corbelling
concrete interlocking roof tiles
smooth render finish
wall cladding
white PVC windows



SIDE ELEVATION





gross internal floor area
153.2m² 1648ft²
from finished surface

GROUND FLOOR PLAN
scale 1:50 UNIT 2

FIRST FLOOR PLAN

Rev D September 2024 floor areas
Rev C March 2021 layout revised
Rev B December 2020 drawing updated
Rev A Sept 2020 utility

Project Name

Land adjacent
15 Culverhouse Drive
Brierley Hill
Dudley DY5

Drawing Name

Unit 2 plans & elevations
Planning Second scheme

AEC
Architectural & Engineering Consultants

AEC
59 Pave Lane
Chetwynd Aston
Newport
Shropshire
TF10 9LQ

Telephone: 01952 812220
Fax: 01952 811130
E-Mail: aecconsultants@btconnect.com

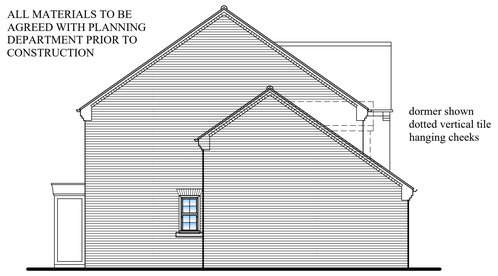
Scale	Date
1:100 1:50 @ A2	September 2020
Drawn by	Checked by
Plot Date	

Drawing No. 3050/3

Revision D

AutoCAD reference:

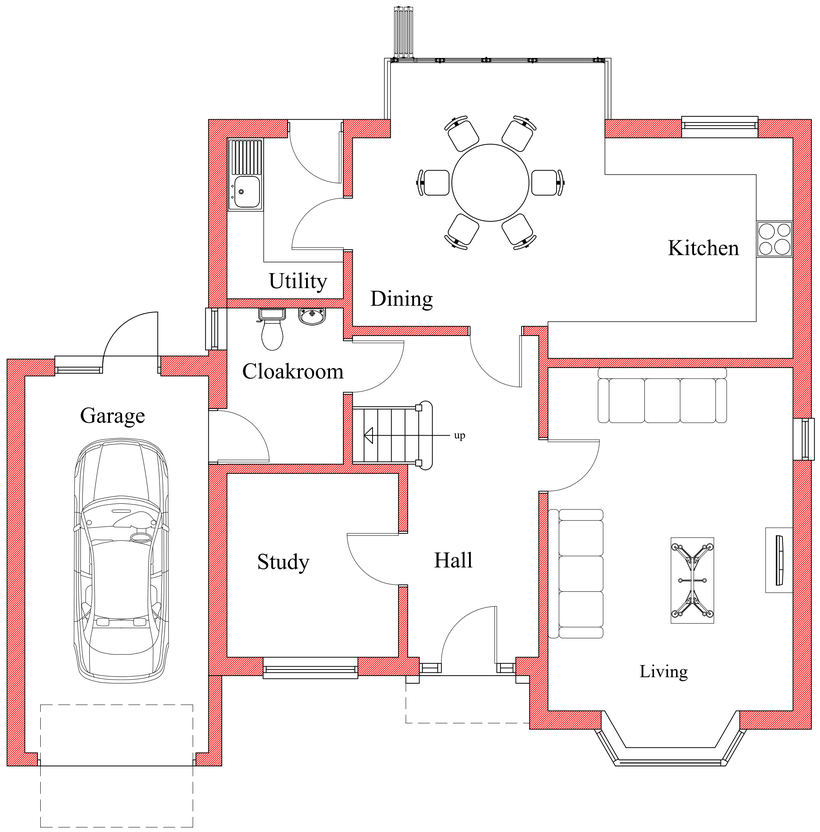
FRONT ELEVATION



SIDE ELEVATION

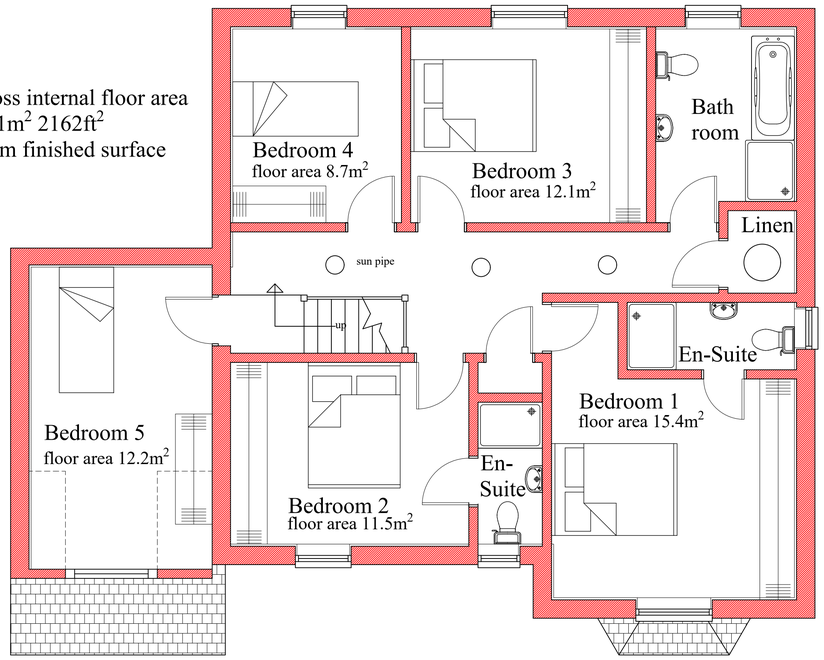
REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN
scale 1:50 UNIT 3

gross internal floor area
201m^2 2162ft^2
from finished surface



FIRST FLOOR PLAN

Rev C September 2024 floor areas
Rev B April 2024 rear elevation rescaled
Rev A March 2021 drawing updated

Project Name

Land adjacent
15 Culverhouse Drive
Brierley Hill
Dudley DY5

Drawing Name

Unit three plans elevations
Second scheme

AEC
Architectural & Engineering Consultants

AEC
59 Pave Lane
Chetwynd Aston
Newport
Shropshire
TF10 9LQ

Telephone: 01952 812220
Fax: 01952 811130
E-Mail: aecconsultants@btconnect.com

Scale	Date
1:100 1:50 @ A1	September 2020
Drawn by	Checked by
Plot Date	

Drawing No. 3050/6

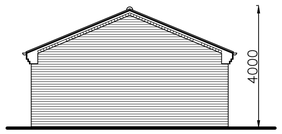
Revision C

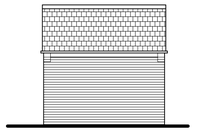
AutoCAD reference:

Typical materials
facing bricks and or
alternative banding,
stretchers
concrete interlocking
roof tiles
brick corbelling
white PVC windows

FRONT ELEVATION
Scale 1:100

SIDE ELEVATION



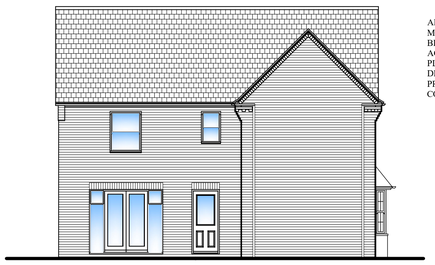


Front elevation
Scale 1:100

Side elevation

Rear elevation

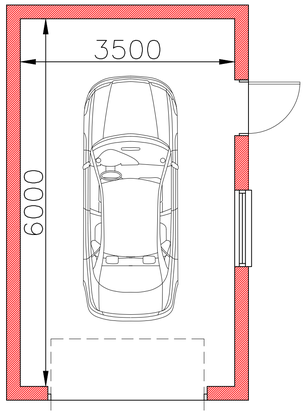
Side elevation



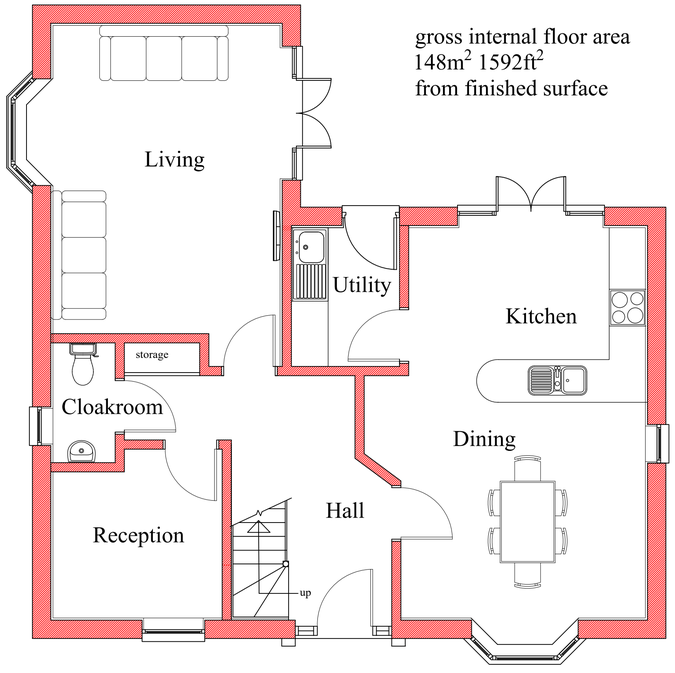
ALL
MATERIALS TO
BE
AGREED WITH
PLANNING
DEPARTMENT
PRIOR TO
CONSTRUCTION

REAR ELEVATION

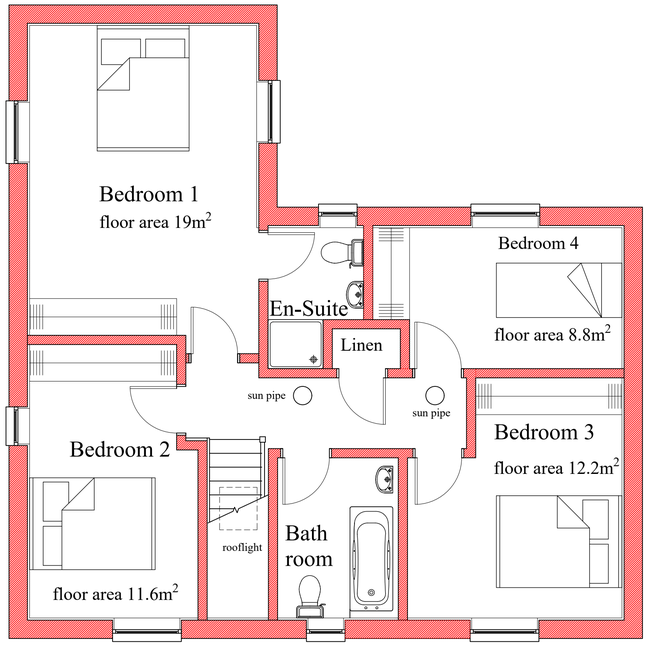
SIDE ELEVATION



GARAGE scale 1:50



GROUND FLOOR PLAN
scale 1:50 UNIT 1



FIRST FLOOR PLAN

Rev D September 2024 floor areas
Rev C May 2021 2021 garage amended
Rev B March 2021 drawing updated
Rev A December 2020 drawing updated

Project Name

Land adjacent
15 Culverhouse Drive
Brierley Hill
Dudley DY5

Drawing Name

Unit One plans elevations garage
Second scheme

AEC
Architectural & Engineering Consultants

AEC
59 Pave Lane
Chetwynd Aston
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TF10 9LQ

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E-Mail: aecconsultants@btconnect.com

Scale	Date
1:100 1:50 @ A1	September 2020
Drawn by	Checked by
Plot Date	

Drawing No. 3050/2

Revision D

AutoCAD reference: