

## PLANNING APPLICATION NUMBER:P22/0710

Type of approval sought	Full Planning Permission
Ward	Gornal Ward
Agent	Bhupinder Singh Mann, Archi-tekt Partnership LTD
Case Officer	Imogen Hopkin
Location:	<b>FIDDLERS ARMS, 16, STRAITS ROAD, LOWER GORNAL, DUDLEY, DY3 2UT</b>
Proposal	<b>DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF 9. NO DWELLINGS</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### RECOMMENDATION

Due to the additional consultation period arising from the updated site plan expiring on 20<sup>th</sup> October 2022, Members should be aware that a decision cannot be issued until after this date. It is requested, therefore, that if members are minded to approve the application, that the decision is delegated to the Head of Planning, subject to no additional material planning matters being received from respondents within the consultation period which expires on 20<sup>th</sup> October 2022.

### SITE AND SURROUNDINGS

1. The application site refers to the Fiddlers Arms Public House, outbuildings and car park. The Fiddlers Arms is a locally listed building and recorded on the Council's Historic Environment Record (HER) and HER No. 7144. The Fiddlers Arms is a traditional public house, circa 1860. The site is subject to an Article 4 Direction. The public house has been vacant as early as April 2021 and has suffered arson attacks and anti-social behaviour from June 2021 onwards. The site is located within an Area of High Historic Townscape Value (AHHTV) and within a high risk coal area.

2. To the north of the site are the boundaries of residential rear gardens in Orchard Grove. The site slopes down to the northern and north-west boundaries and this section of Straits Road also slopes down in a northerly direction. As such the gardens/properties of adjoining properties in Orchard Grove and Straits Road respectively, are at a lower level than the public house.
3. Adjoining the site to the south is the public right of way (PROW) that connects Orchard Grove to The Straits and on the southern side of the PROW is a development of 6 dwellings accessed from Straits Road and rear gardens of 14 and 14d Straits Road. No. 16c Straits Road are sited to the east of the PROW and the rear garden abuts a garage site accessed from Orchard Grove. Opposite the site, on the west side of Straits Road, is the junction with Hopyard Lane, where there are residential dwellings to the north side of Hopyard Lane which were approved in 2018 and on the south side of Hopyard Lane that were approved in 2019. The wider area is predominantly residential, and the site is located around 300m from Gornal Local Centre.

## PROPOSAL

4. The application seeks approval for the demolition of the public house and the erection of 9 dwellings. This includes 1 detached dwelling and 8 semi-detached dwellings. The site will be accessed from a drive which is not likely to be adopted.
5. Amended plans have been received to incorporate a re-design of the properties internally and externally, slight re-positions of the properties, an updated road and pavement layout, Plot 1 incorporating side facing windows, and a designated bin collection point.
6. A slight change has been made to the site boundary, so a further full consultation period is required due to the updated boundary. No change has been made to the overall scheme.
7. The application is supported by a Heritage Statement and Coal Mining Risk Assessment.

## HISTORY

8. Relevant planning history:

APPLICATION No.	PROPOSAL	DECISION	DATE
P20/1903	Demolition of existing public house and erection of 12 no. new dwellings and associated works	Withdrawn	05/05/2021
P17/0582	Hybrid application for Part A: Demolition of public house and outbuildings and erection of A1 convenience store with associated access, car parking and landscaping Part B: Outline application for Residential Development (access to be considered)	Refused	08/08/2017
P17/0230/PN11B	Prior Notification under Schedule 2, Part 11 for demolition of The Fiddlers Arms	Prior Approval Not Required	14/03/17

9. The site has been subject to enforcement complaints due to the deteriorating state of the building and associated anti-social behaviour, due to the derelict building.

## PUBLIC CONSULTATION

10. The application was advertised by way of 24 neighbour notification letters, a site notice and a newspaper advert, with the latest opportunity for comments on 23<sup>rd</sup> June 2022. Twelve letters of objection received, 1 comment and 5 letters of support. One of the letters of objection received was from the Victorian Society. They are not a statutory consultee for the application, but expressed their objection. The letters of objection were not from addresses within the immediate area, although the letters of support were from direct neighbours.

11. The objections raised the following concerns:
- Loss of the locally listed building and heritage asset
  - Plans not considered a suitable replacement for locally listed building
  - Loss of public houses in the area
  - Should investigate restoration and re-use, such as café, bar, local shop
  - Access road is unsuitable and puts pedestrians at risk
12. The letters of support raised the following points:
- The pub has become a derelict eyesore
  - Pub appears beyond prospect of viable reinstatement
  - Anti-social behaviour that the pub as suffered, including 5 fires
  - Benefit to area and local residents
  - Building includes modern extensions that are not worth conserving
  - No longer a viable piece of local heritage
  - Building vacant and for 5 years
13. A 10 day re-consultation was carried out upon the receipt of amended plans. 40 letters were sent to neighbours and those who commented on the original plans. This consultation expired on 17<sup>th</sup> September 2022. There have been 3 objections, 1 comment and 1 letter of support to the re-consultation. 1 of the objections was re-iterated from the Victorian Society. No further points have been raised above the original consultation responses.
14. A 21 day consultation has now also necessarily been carried out to notify neighbours of the updated site plan that expires on the 20<sup>th</sup> October 2022. There have been no changes to the overall scheme, so the consultation is purely based upon the updated red line. No comments have been received at the time of agenda preparation.



15. West Midlands Police: Supported. The public house has been a source of Anti-Social Behaviour (ASB), so the demolition and replacement of 9 dwellings will reduce the ASB in this location.
16. The Coal Authority: No objection, subject to conditions.
17. Head of Planning (Contaminated Land Team): Recommend approval, subject to conditions.
18. Head of Environmental Health and Trading Standards: No adverse impacts, recommended conditions.
19. Head of Planning (Highways Engineer): No objections to the amended plans subject to recommended conditions.
20. Public Rights of Way Officer: No objection to amended plans, recommended conditions.
21. Historic Environment Team: No objection to amended plans, recommended conditions.

## RELEVANT PLANNING POLICY

22. National Policy
  - National Planning Policy Framework (2021)
  - Community Infrastructure Levy Regulations
23. Black Country Core Strategy (2011)
  - CSP4 Place Making
  - ENV2 Historic Character and Local Distinctiveness
  - ENV3 Design Quality
  - ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island
  - ENV8 Air Quality
  - DEL1 Infrastructure Provision
  - HOU1 Delivering Sustainable Housing Growth
  - HOU2 Housing Density, Type and Accessibility

- TRAN2 Managing Transport Impacts of New Development

24. Dudley Borough Development Strategy (2017)

- L1 Housing Development, Extensions and Alterations to Existing Dwellings
- L12 Areas of High Historic Townscape Value
- S1 Sustainable Development
- S5 Minimising Flood Risk and Sustainable Drainage Systems (SuDS)
- S6 Urban Design
- S8 Conservation and Enhancement of Local Character and Distinctiveness
- S11 Buildings of Local Historic or Architectural Importance
- D1 Access for All
- D3 Contaminated Land

25. Supplementary Planning Documents / Guidance

- Parking Standards Supplementary Planning Document (SPD) (2017)
- New Housing Supplementary Planning Document (SPD) (2013)

## ASSESSMENT

26. The key issues are:

- Principle
- Impact on the Heritage Asset
- Design, Character and Appearance
- Residential Amenity
- Access and Parking
- Land Contamination and Stability
- Financial Material Considerations

Principle

27. The National Planning Policy Framework (NPPF) seeks to ensure the provision of sustainable development, of good quality, in appropriate locations and sets out principles for developing sustainable communities. It promotes high quality design

and a good standard of amenity for all existing and future occupants of land and buildings. The site is in a predominantly residential setting located close to local services and public transport. The NPPF also seeks to boost housing supply and supports the delivery of a wide choice of high quality homes, with a mix of housing (particularly in terms of type/tenure) to create sustainable, inclusive and mixed communities.

28. The Black Country Core Strategy adopted in 2011 sets out The Vision, Sustainability Principles and The Spatial Objectives for future development in the Black Country to 2026. One of the Spatial Objectives of the Strategy is to help to deliver sustainable communities on redundant land, that make the most of opportunities such as public transport, are well served by residential services and green infrastructure, have good walking, cycling and public transport links to retained employment areas and centres, are set in high quality natural and built environments and are well integrated with surrounding areas.
29. The Black Country Core Strategy (BCCS), Policy HOU1: 'Delivering Sustainable Housing Growth' also requires at least 63,000 net new homes up to 2026. This policy requires that "at least" 95% of new housing (gross) be built on previously developed land (PDL). Whilst priority is given to development on PDL, this does not preclude all development on garden land but it does lessen the weight that should be given to development of gardens in the balance of considerations.
30. Policy L1 of the Dudley Borough Development strategy suggests housing development will be permitted, provided that the design of the development is of an appropriate form, siting, scale and mass; that it would not cause unacceptable harm to the amenities of the occupiers of neighbouring dwellings; that it would not cause unacceptable harm to the amenities of the occupiers of neighbouring dwellings; that it would provide an appropriate level of amenity for future occupiers of the development and that the development would provide adequate access, parking and provision of manoeuvring of vehicles, with no detrimental impact on highway safety and the free flow of traffic.

31. The site is within an established urban setting, close to local services and public transport. There is, in-principle, national policy support for the type of development proposed, subject to the satisfaction of all relevant material planning considerations.

#### Impact on the Heritage Asset

32. Policy S11 of the Dudley Borough Development Strategy seeks to resist the demolition of Locally Listed Buildings, subject to demonstration that there are no reasonable alternatives and the provision of an appropriate replacement scheme. The application results in the loss of a Locally Listed Building, which is the reason for many of the objections to the scheme. However, the proposed development makes an appropriate re-use of the site. The application will be conditioned to ensure the building cannot be demolished prior to contractors being appointed to carry out the approved scheme, to ensure the site does not become empty.

#### Design, Character and Appearance

33. The principle of good design forms a reoccurring policy focus throughout both national and local policy frameworks, with the NPPF stating that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.”* (para. 134).
34. The importance of design is replicated within Policy L1 of the Dudley Borough Development Strategy which promotes new housing on previously developed land and on sites in sustainable locations, provided that amongst other things that *“The design of the development is of an appropriate form, siting, scale, and mass, with the use of appropriate materials, which respect and are responsive to the context and character of the surrounding area”*.
35. The design of the proposed dwellings has been enhanced through detailed design, such as the stone sills and headers, flat roof canopies and the windows and doors

lining through vertically. The overall design and layout of the development provides a suitable re-use of the site and a high level of design to replace the locally listed building. The layout has the proposed dwellings in a linear position fronting Straits Road. This is appropriate from an urban design perspective and respects the character of the wider area. The proposal respects good design principles contained within the policy framework, for example, securing active frontages over public areas, the public right of way and parking, incorporating landscaping to enhance the appearance of the development, in accordance with the design principles contained within the New Housing Development SPD.

### Residential Amenity

36. For all developments, the Council will seek to ensure that any such proposals would not harm the occupiers of adjacent properties in terms of daylight, outlook, privacy and inter-visibility. Policy L1 of the Dudley Borough Development Strategy and the New Housing SPD require that developments should provide sufficient amenity for future occupiers and should not have any detrimental impact on the existing amenity of nearby residents.
37. The dwellings would be of a mixture of property sizes ranging between 2, 3 and 4 bedroomed properties spanning over two or three floors. Each dwelling would secure a private amenity space to the rear, with private parking to the frontages. The private rear amenity space has a length between 11.5m and 12.7m, in excess of the minimum 11m length requirement. The garden areas for the three bedroomed properties have a minimum garden area of 57m<sup>2</sup> up to 69m<sup>2</sup>. The policy requirement is 65m<sup>2</sup>, so the shortfall is acceptable, on balance, as it is a minor shortfall and is caused due to the position of the dwellings in relation to the road. The gardens to dwellings have the appropriate length in excess of 11m, and therefore the shortfall of the area is not considered to be insufficient to warrant refusal of the application. The four bedroom dwelling for Plot 9 has a rear garden area of 116m<sup>2</sup> which is in excess of the 80m<sup>2</sup> requirement for four bedrooms, which is acceptable.

38. The dwellings would be sited sufficient distance apart, maintaining the required 22m distance separation between rear interfacing properties, while complying with the 14m distance separation standards and the 45 Degree Code Policy to the existing dwellings. The position of Plot 9 is at an oblique position to No. 2 Orchard Grove, to the west, and therefore will not result in a detrimental loss of outlook to this dwelling, nor result in any overshadowing of the rear garden of this property.
39. Plot 1 has a first floor side facing window and a ground floor side facing bay window. These windows will help to provide natural surveillance along the defined Public Right of Way. Due to the position of this dwelling in relation to No. 16c Straits Road, this dwelling would not result in overlooking or a detrimental impact to the privacy of the existing property.
40. The floor areas of the proposed dwellings are acceptable, on balance, in relation to the Nationally Described Space Standards and the viability of the site. The house type 2 has a floor area of 109m<sup>2</sup>, whereas the requirement from the space standards is 106m<sup>2</sup>, therefore more than requirements. However, house types 1 and 3 are 100m<sup>2</sup> and 103.5m<sup>2</sup> and the Nationally Described Space Standards requires 108m<sup>2</sup>. However, this short fall is considered acceptable, on balance, as the shortfall of space is minor and if the space were to be achieved, there could be other implications to privacy and viability. As such, the modest shortfall would not compromise the standard of accommodation being proposed and would therefore not warrant a refusal of the application on these grounds alone.

#### Access and Parking

41. The Highways Engineer has provided feedback to the application that the development is acceptable in relation to highway safety and pedestrian access and has recommended a suite of conditions to support the appropriate implementation of the site. The proposed development would also secure sufficient parking provision to meet with the minimum parking requirements as outlined within the Parking Standards SPD, thereby preventing the displacement of cars onto the adjacent highway network.

42. The Public Rights of Way Officer now considers the application acceptable, subject to appropriate signage indicating the defined Public Rights of Way, which has been suggested as a condition. Further, as mentioned, the side facing windows on Plot 1 provide a new natural surveillance to the Public Right of Way which would improve the current situation, along with widening the footpath and providing a clearer public footpath than the existing arrangement alongside the car park of the public house.

#### Land Contamination and Stability

43. The application site lies within the defined Development High Risk Area for coal mining. The Coal Authority have been consulted on the application and recommended conditions alongside the application to ensure the stability is acceptable to comply with paragraphs 183 and 184 of the National Planning Policy Framework.
44. The Contaminated Land Team have noted there is an increased risk of elevated ground gases/mine gas being present at the site. Therefore, the team have recommended conditions to ensure appropriate risk assessments are carried out to protect current occupiers nearby and future occupiers of the site.

#### Financial Material Considerations

45. Section (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).
46. The section 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'.

47. This proposal would provide one dwelling generating a New Homes Bonus grant of nine times the national average council tax for the relevant bands.
48. The proposal is liable for CIL but the site falls within Zone 1 which has a £0 rate thus no CIL charge is required.

## CONCLUSION

49. The amended plans are considered to be appropriate. The loss of the locally listed building is considered acceptable, on balance, due to the residential re-use of the site, including a well designed scheme that is in scale and character with the wider area. The development responds well to the character and context of the AHHTV in which it is located. There is no negative impact on adjacent residential properties. Sufficient off-street parking has been provided, as well as improved pedestrian links. On this basis, the proposal complies with the relevant national and local planning policies and with local planning guidance outlined above and would contribute to the boroughs housing needs.

## RECOMMENDATION

It is recommended that the development be APPROVED subject to conditions.

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 approved plans:
  - 2021-229-001 (Received 26/9)
  - 2021-229-003 (Received 26/9)
  - 2021-229-007 (Received 7/9)
  - 2021-229-010 (Received 7/9)
  - 2021-229-011 (Received 7/9)
  - 2021-229-012 (Received 7/9)REASON: For the avoidance of doubt and in the interests of proper planning.



3. The demolition works shall not commence before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Planning condition 28 shall be fully discharged for the redevelopment. Evidence that a contract has been executed shall be submitted in writing to the Local Planning Authority a minimum of 14 days prior to any demolition works commencing. Details are required prior to the commencement of development/works due to the statutory protection / sensitive of the site.  
REASON: To preserve the established character of the Listed Building pending redevelopment in conformity with BCCS Policy ENV2 - Historic Character Distinctiveness and DBDS Policy L10 - Listed Buildings. Details are required prior to the commencement of development/works due to the statutory protection / sensitive nature of the site.
4. Prior to the commencement of development details of the types, colours and textures of all the materials (including windows and doors) 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. Details/samples of the type, texture, colour and bond of the bricks to be used and a sample panel measuring not less than 1m<sup>2</sup> shall be erected on site and approved in writing by the Local Planning Authority. Key plans to cross reference the materials to the building facades will be required to clearly explain the use and type of material. The panel shall be retained on site for the duration of the development and thereafter new brick work shall only be constructed in accordance with these approved details. The development shall be carried out in complete accordance with the approved details.  
REASON: To ensure that the external appearance of the buildings safeguard the quality and visual appearance of the Gornal Wood Historic Centre 'Area of High Historic Townscape Value' in accordance with Policies S8 (Conservation and Enhancement of Local Character and Distinctiveness) and Policy S12 (Areas of High Historic Townscape Value) of the adopted Dudley Borough Development Strategy (2017) and Policy ENV 2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy (2011).
5. 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.

6. 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.

7. 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.

8. No above ground development shall commence until details of the electric vehicle charging points, to be provided for the dwellings in accordance with the Council's standard (Parking Standards SPD), has been submitted to and approved in writing by the Local Planning Authority. Prior to first occupation the electric vehicle charging points shall be provided in accordance with the approved details and shall be maintained for the life of the development.

REASON: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies ENV8 (Air Quality) and DEL1 (Infrastructure Provision) of the Black Country Core Strategy.

9. The parking area hereby approved shall be completed with a surface and sub-strata that is permeable, or provision shall be made to direct run-off water from the hard surface to a permeable area within the curtilage of the dwelling house,

which shall be retained as such for the life of the development.

REASON: To provide a necessary facility in connection with the proposed development and to prevent uncontrolled runoff of rainwater from front gardens onto public roads/drainage in accordance with BCCS Policy ENV5 and Borough Development Strategy 2017 Policy S5 Minimising Flood Risk and Sustainable Drainage Systems (SuDS).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any order revoking or re-enacting that order with or without modification) no development referred to in Schedule 2, Part 1, Classes AA, B, C and D of that order shall be carried out without the express grant of planning permission.

REASON: In the interests of the privacy and amenity of surrounding residents in accordance with Borough Development Strategy 2017 Policy L1 Housing Development, extensions and alterations to existing dwellings Policy D2 Incompatible Land Uses (in part).

11. Demolition or construction works shall not take place outside the hours of 07:00 to 18:00 hours Mondays to Fridays and 08:00 hours to 17:00 hours on Saturdays nor 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).

12. No development shall commence (excluding the demolition of existing structures and site clearance) until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow 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.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

REASON: To ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

13. 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: To ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

14. 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.

15. Where the approved risk assessment (required by condition 14 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.

16. Following implementation and completion of the approved remediation scheme (required by condition 15 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.

17. 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. This should include mine gas. 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 ground gases or vapours 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.

18. Where the approved risk assessment (required by condition 17 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. 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 ground gases or

vapours 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.

19. Following implementation and completion of the approved remediation scheme and the associated approved validation and verification plan (required by condition 18 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.
20. No development shall commence (excluding demolition, site clearance and initial ground investigation works) until details of the works for the disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All works shall be completed in accordance with the approved details prior to the occupation of the development hereby approved. The approved works shall thereafter be retained for the life of the development.  
REASON: In the interests of sustainability, reducing flood risk, run off and pollution of watercourses and to comply with Adopted BCCS Policy ENV5 - Flood Risk, Sustainable Drainage Systems and Urban Heat Island and Borough Development Strategy 2017 Policy S5 Minimising Flood Risk and Sustainable Drainage Systems (SuDS).
21. 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.
22. 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 (Public Right of Way) with an 'x' set back distance of 2.4 metres and a 'y' distance of 43 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.

23. No part of the development shall be occupied until visibility splays to the access road onto Straits Road have been provided at the junction between the access road onto Straits Road and the highway (Straits Road) with an 'x' set back distance of 2.4 metres and a 'y' distance of 59 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.

24. No part of the development shall be occupied until visibility splays to any new access have been provided at the junction between the proposed means of access and the highway (Footway or Footpath) 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.

25. The development shall be first occupied/used until details of the bin stores and collection point have been submitted to and approved in writing by the Local Planning Authority. The bin stores shall be provided in accordance with the approved details prior to the first use/occupation of the development and shall thereafter be retained and maintained for no 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.

26. No development shall commence (excluding demolition, site clearance and initial ground works) until details of the Highways Works as indicated on drawing 2021- 229 - 003, including, (Footway improvements adjacent The Straits, the Public Right of Way and the turning head for at least 15m from the Public Right of Way) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the agreed Highway Works have been completed 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.

27. Prior to occupation of the dwellings, details of the position and appearance of a site notice stating "Public Footpath with private vehicular access" 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 retained for the life of the development.  
REASON: To clearly label the defined Public Right of Way and to promote pedestrian links in line with the NPPF and Policy S17 of the Dudley Borough Development Strategy.
28. No works of demolition, construction, levels changes, re-grading or other site clearance or infrastructure works involving ground disturbance shall begin until the developer has secured the implementation of a programme of archaeological investigation (in the form of an archaeological watching brief and Building Recording) including appropriate provision for subsequent analysis, reporting and archiving in accordance with a written scheme of investigation (WSI) which has first been submitted to and approved in writing by the local planning authority. The WSI shall be undertaken in accordance with the Chartered Institute for Archaeologists (CIfA) standard and guidance for an archaeological watching brief and Archaeological Investigation and Recording of Standard Buildings or Structures and be carried out in accordance with the guidelines set out by Historic England Understanding Historic Buildings - A guide to Good Recording Practice (2016). Following approval of the WSI all such works will be carried out in accordance with the agreed details.  
REASON: The site is of potential archaeological significance and as such it is important that in accordance with Policy S11 (Buildings of Local Historic or Architectural Importance) and Policy S15 (Heritage Assets of archaeological interest, Scheduled Ancient Monuments and Archaeological Priority Areas) of the adopted Dudley Borough Development Strategy, the Council's Historic Environment SPD, ENV2 of the BCCS and paragraphs 194 and 205 of the NPPF that any archaeological remains and the building fabric are recorded.



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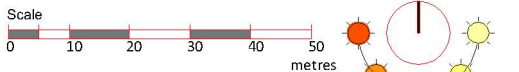
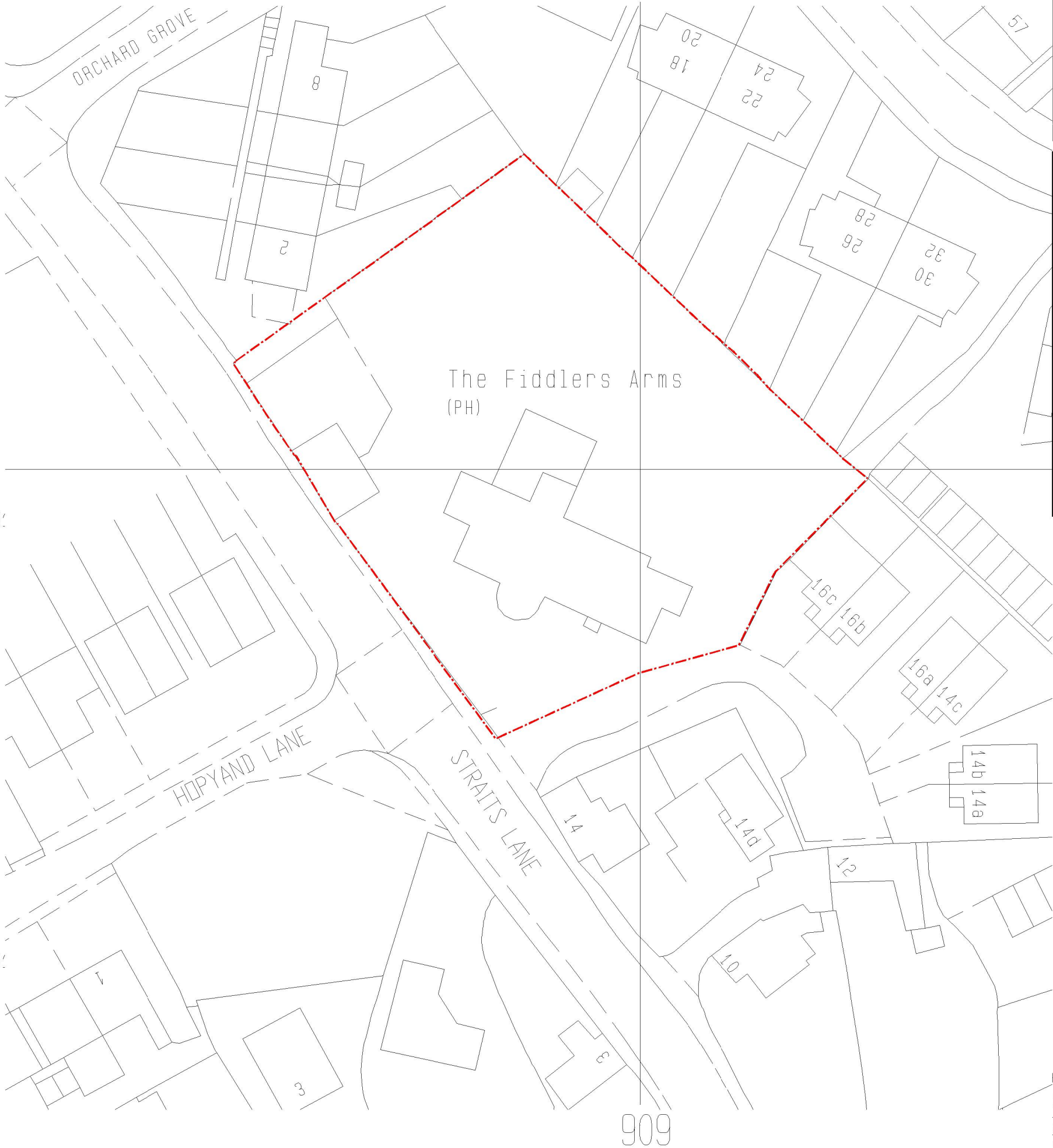
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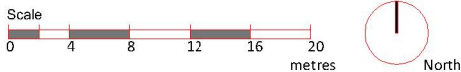
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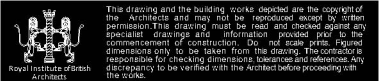


01 OS PLAN  
Scale 1:1250@A3



02 LOCATION PLAN  
Scale 1:500@A3

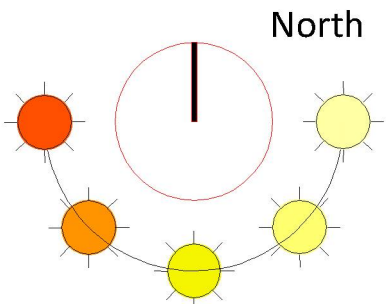
rev	date	drawn	chk'd
77	Francis Road Edgbaston Birmingham	B16 8SP	
E-mail:	info@archi-tek.co.uk	www.archi-tek.co.uk	
scale	1:1250@1:500@A3	purpose of issue	Planning
date	Dec 2021	project	FORMER FIDLERS ARMS
drawn	BsM	drawing	16 STRAITS ROAD, DUDLEY, DY3 2UT
number	2021-229-001	drawing	OS PLAN AND LOCATION PLAN





PROJECT ARCHITECT TO BE NOTIFIED OF  
DISCREPANCIES IN FIGURED DIMENSIONS.  
CONTRACTOR TO VERIFY ALL DIMENSIONS  
ON SITE. THIS DRAWING IS COPYRIGHT.

Orientation



Key

- New close boarded fence (1.8m)
- New Brickwork boundary wall (2.1m)
- New Brickwork boundary wall (0.9m)
- New close boarded fence (1.5m) with lattice upper section (0.3m); total height - 1.8m
- Bin Storage Area
- Existing trees to be retained
- Existing trees to be removed
- Root protection Area (RPA)
- New tree planting to Landscape Architect's details
- New hedge planting to Landscape Architect's details
- Existing site level
- Proposed site level
- Soft landscaping to Landscape Architect's details
- Permeable paving
- Permeable paving
- Tarmacadam
- Permeable paving

### Schedule of Areas

Site Area - 2547.5 m<sup>2</sup>

Plot 1	3 Bed 2 Storey	95.85sqm - 1031.73sqft
Plot 2	3 Bed 2 Storey	95.05sqm - 1023.11sqft
Plot 3	3 Bed 2 Storey	95.05sqm - 1023.11sqft
Plot 4	3 Bed 2 Storey	95.05sqm - 1023.11sqft
Plot 5	3 Bed 2 Storey	95.05sqm - 1023.11sqft
Plot 6	3 Bed 2 Storey	95.05sqm - 1023.11sqft
Plot 7	3 Bed 2 Storey	95.05sqm - 1023.11sqft
Plot 8	3 Bed 2 Storey	95.05sqm - 1023.11sqft
Plot 9	4 Bed 2 Storey	108.75sqm - 1162.79sqft

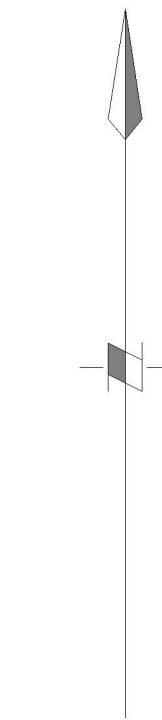
**TOTAL 869.95sqm - 9,364.14sqft**

rev. date drawn checked

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purpose of issue  
1:200@A1 Planning  
date Dec 2021 FORMER FIDLER'S ARMS  
B&M 16 STRAITS ROAD, DUDLEY, DY3 2UT  
drawing  
2021-229-003 SITE PLAN AS PROPOSED

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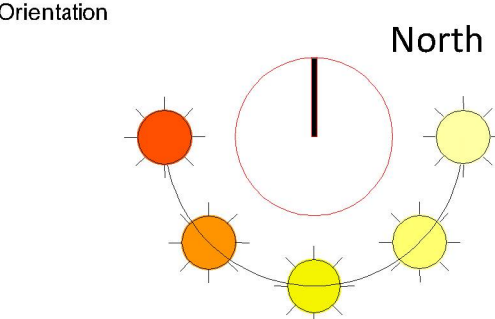


01 SITE PLAN AS PROPOSED  
Scale 1:200@A1

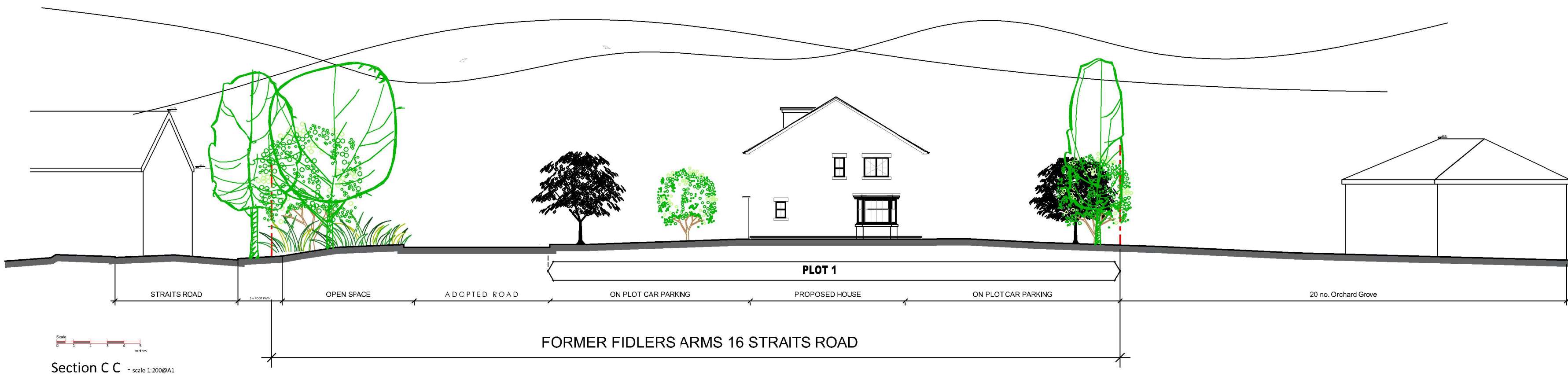
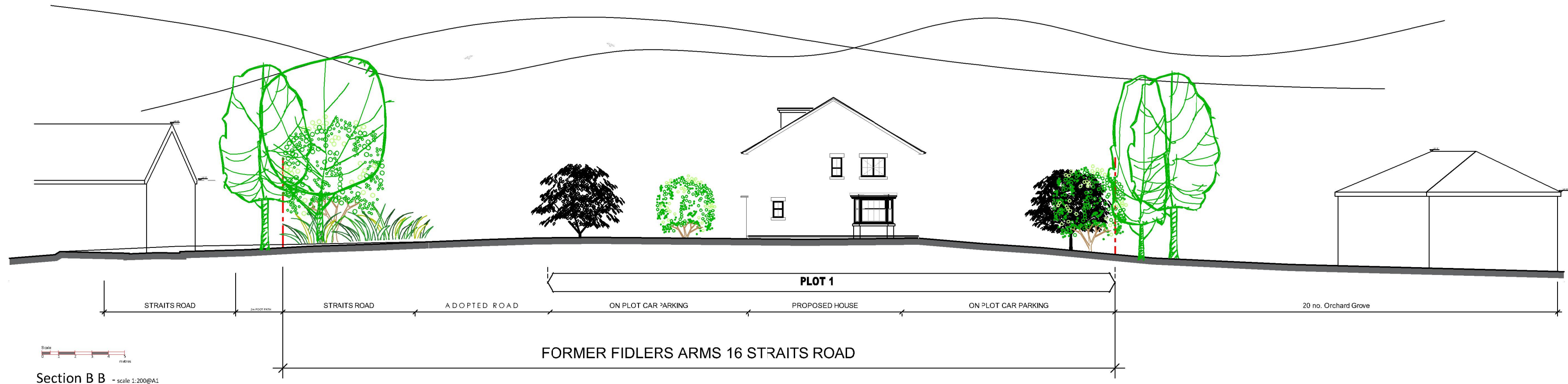
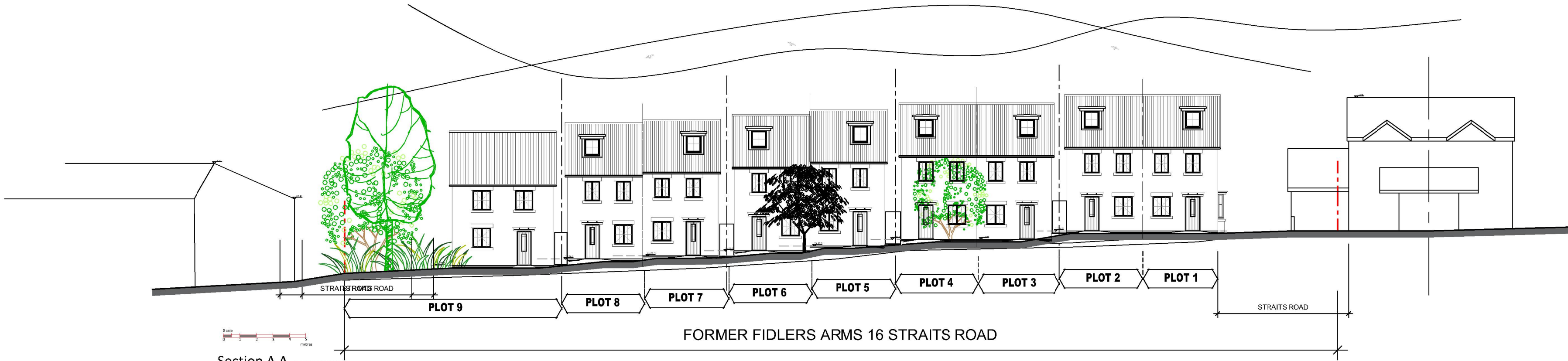
Scale  
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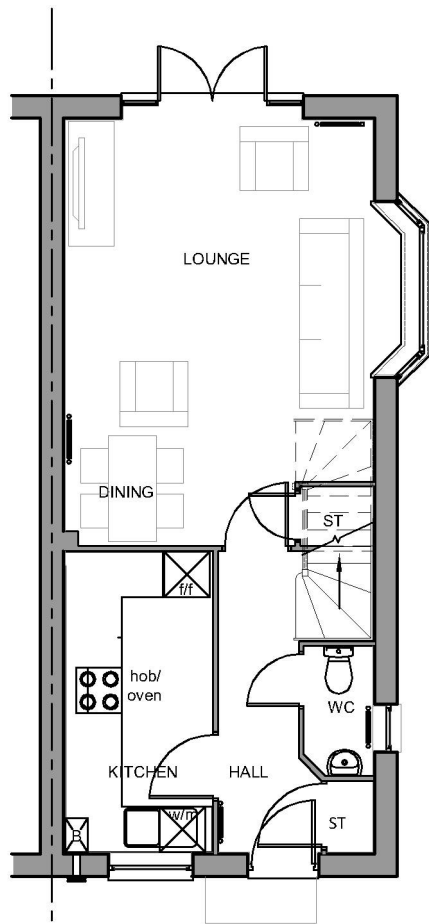
- Key
- New close boarded fence (1.8m)
  - New Brickwork boundary wall (2.1m)
  - New Brickwork boundary wall (0.9m)
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  - New tree planting to Landscape Architect's details
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  - Existing site level
  - Proposed site level
  - Soft landscaping to Landscape Architect's details
  - Permeable paving
  - Permeable paving
  - Tarmacadam



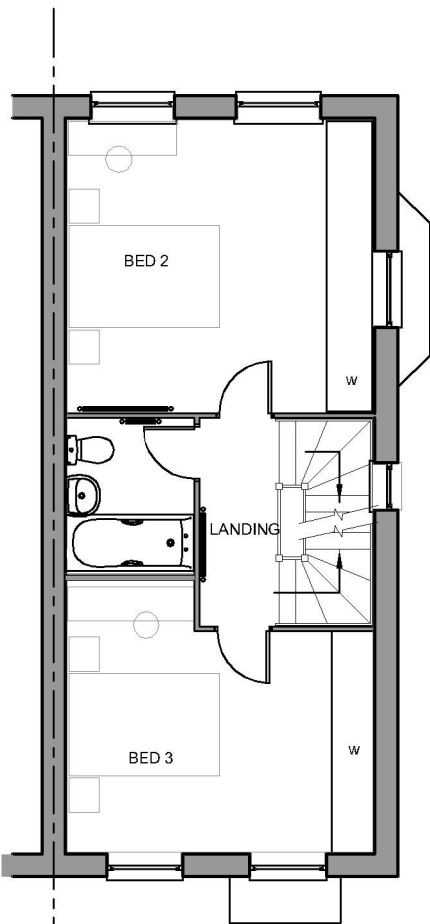
rev.	date	drawn	chk'd
77	Francis Road Edgbaston Birmingham B16 8SP		
E-mail:	info@archi-tek.co.uk www.archi-tek.co.uk		
scale	1:200@A1	purpose of issue	Planning
date	Dec 2021	project	FORMER FIDLER'S ARMS
drawn	BsM	client	16 STRAITS ROAD, DUDLEY, DY3 2UT
number	2021-229-007	drawing	SITE SECTIONS

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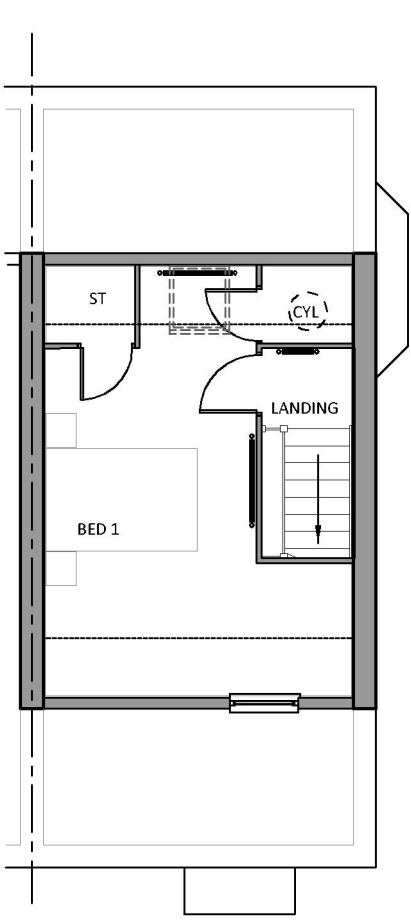




GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



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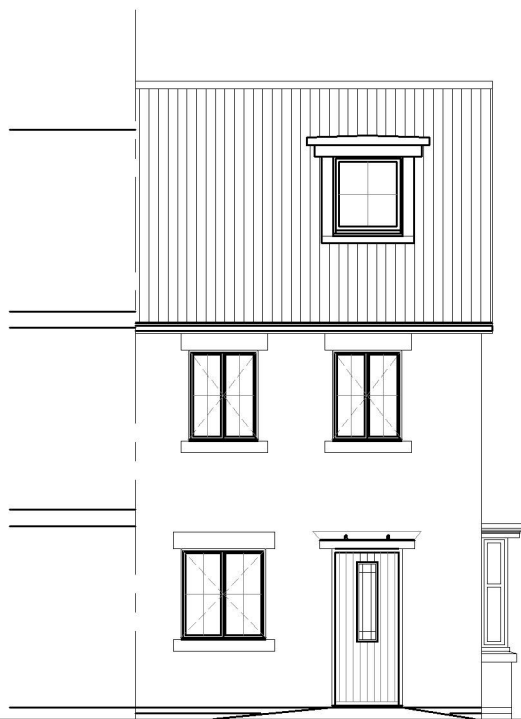
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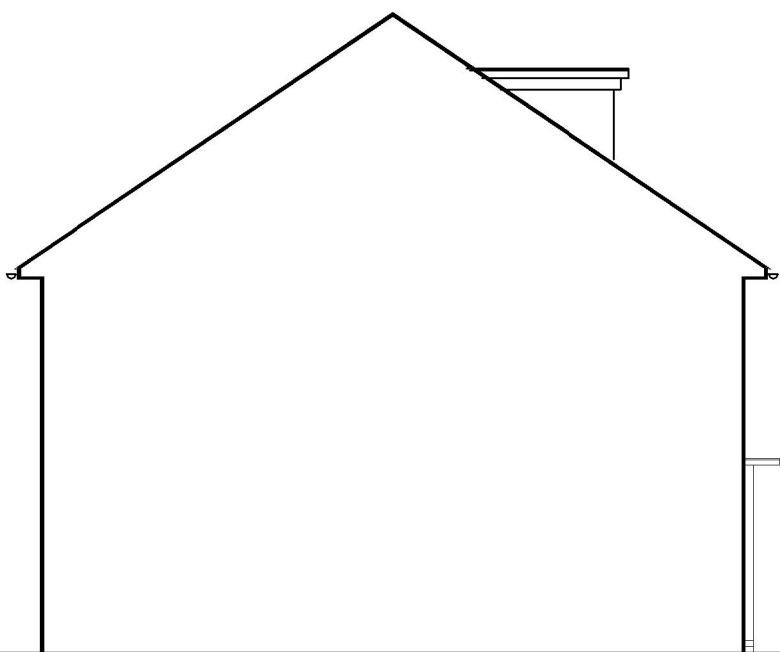
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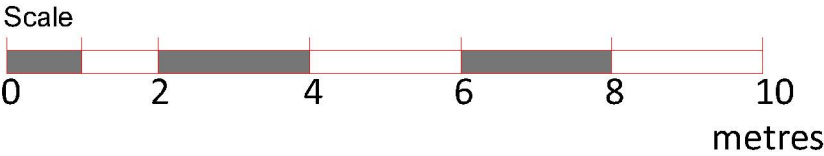
SIDE ELEVATION



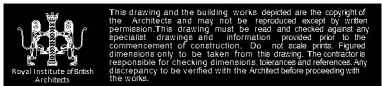
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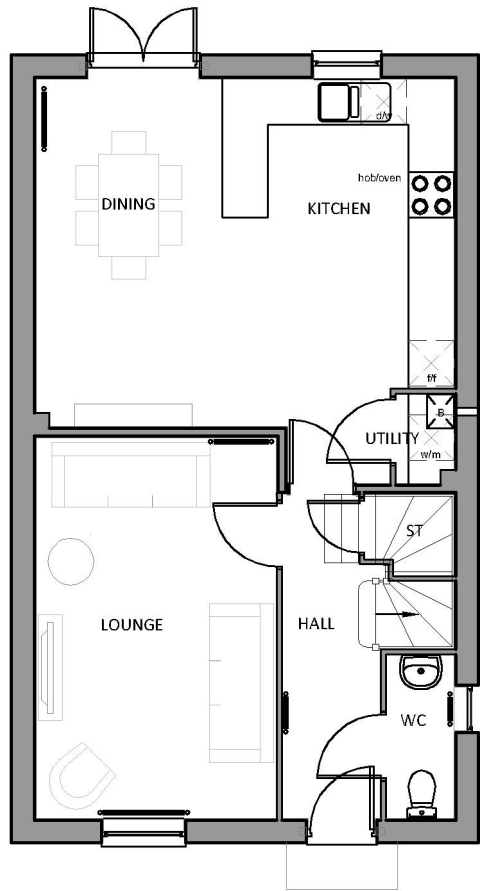


SIDE ELEVATION

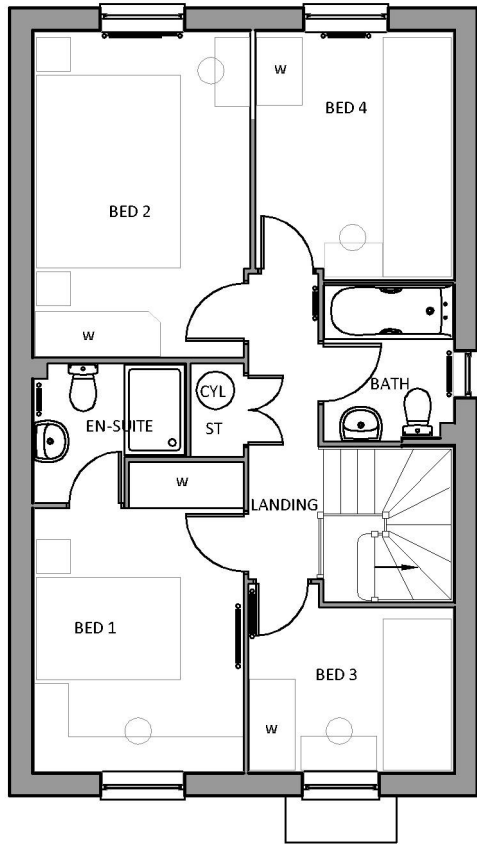


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77 Francis Road Edgbaston Birmingham B16 8SP E-mail: info@archi-tek.co.uk www.archi-tek.co.uk			
scale	1:100@A3	purpose of issue	Planning
date	Dec 2021	project	FORMER FIDLER'S ARMS
drawn	BsM	location	16 STRAITS ROAD, DUDLEY, DY3 2UT
number	2021-229-010	drawing	HOUSE TYPE 1

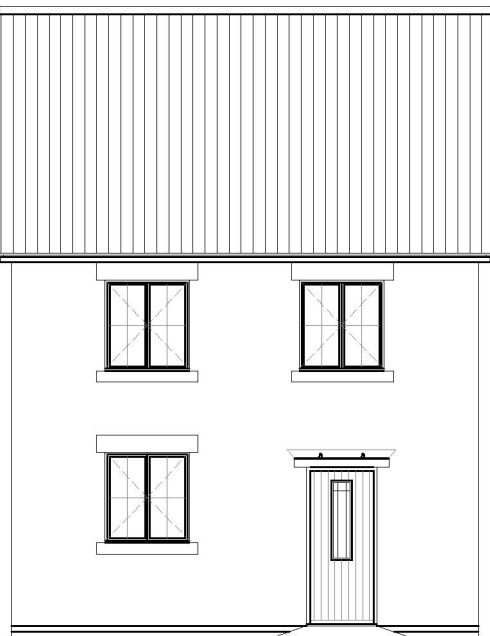




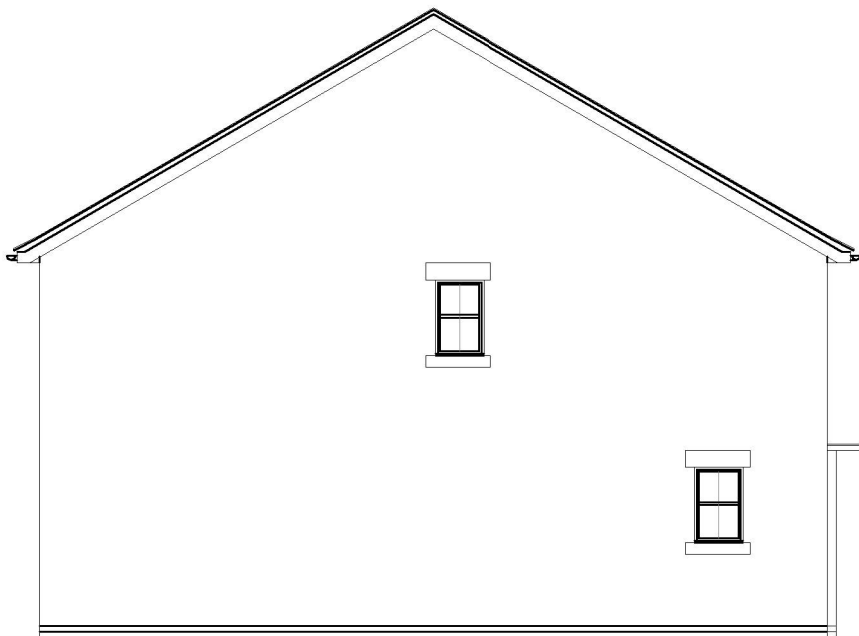
GROUND FLOOR PLAN



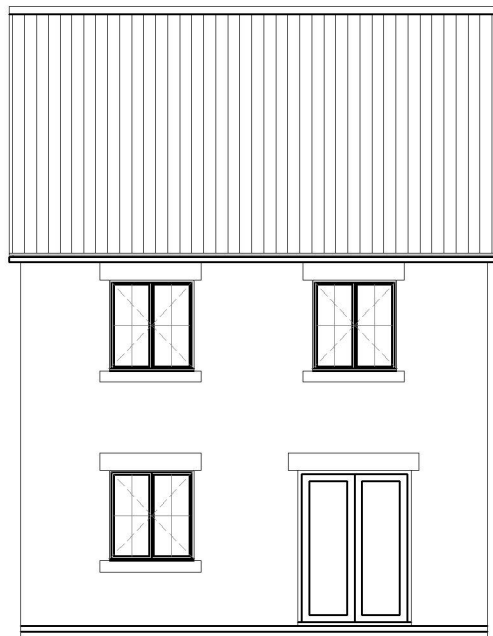
FIRST FLOOR PLAN



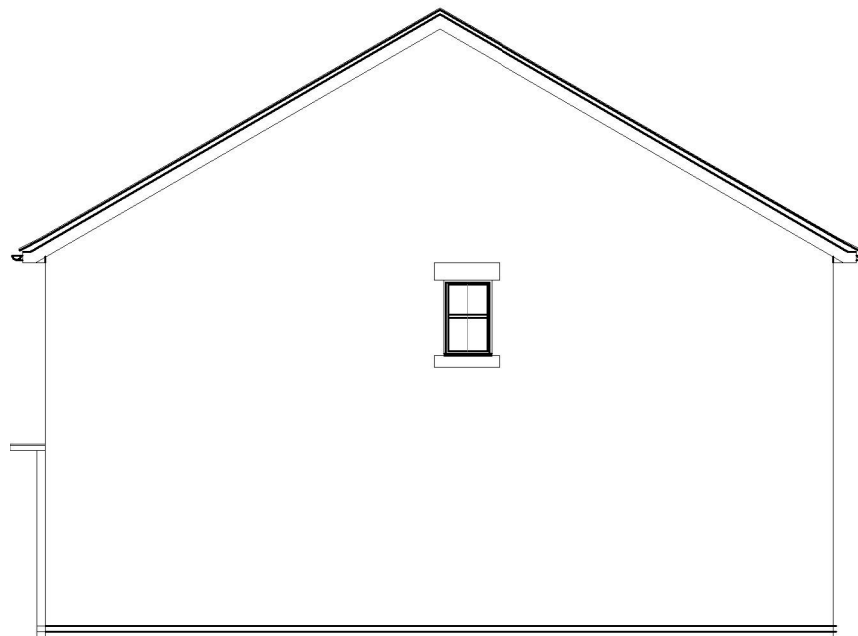
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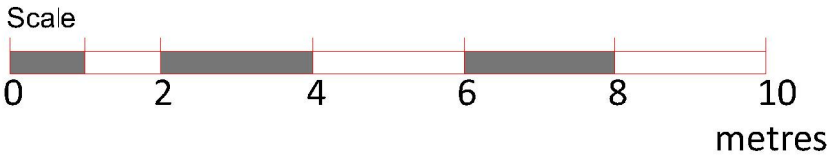
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



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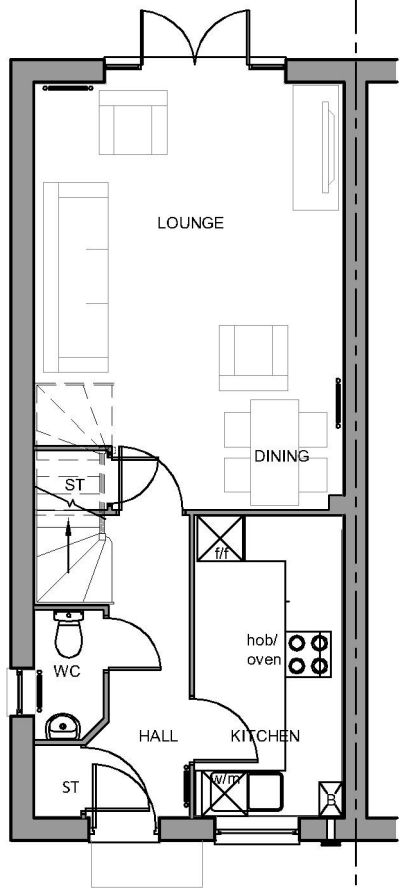
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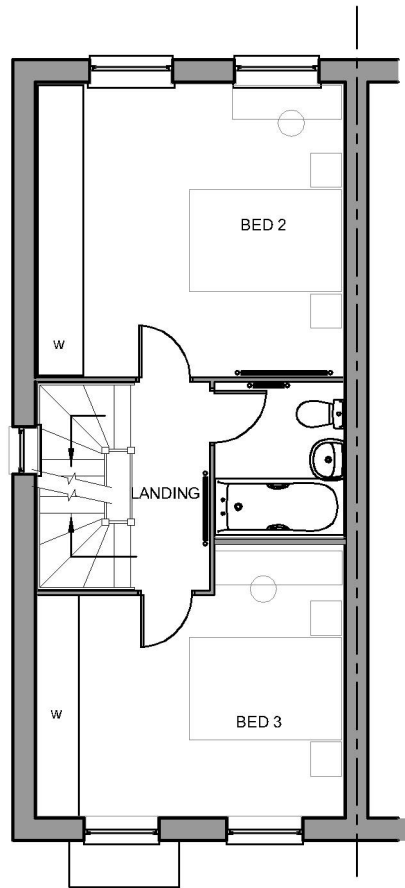
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77	Francis Road Edgbaston Birmingham B16 8SP	E-mail: info@archi-tek.co.uk www.archi-tek.co.uk	
scale	purpose of issue	project	
1:100@A3	Planning	FORMER FIDLER'S ARMS	
date	Dec 2021	16 STRAITS ROAD, DUDLEY, DY3 2UT	
drawn	BsM	HOUSE TYPE 2	
number	2021-229-011		

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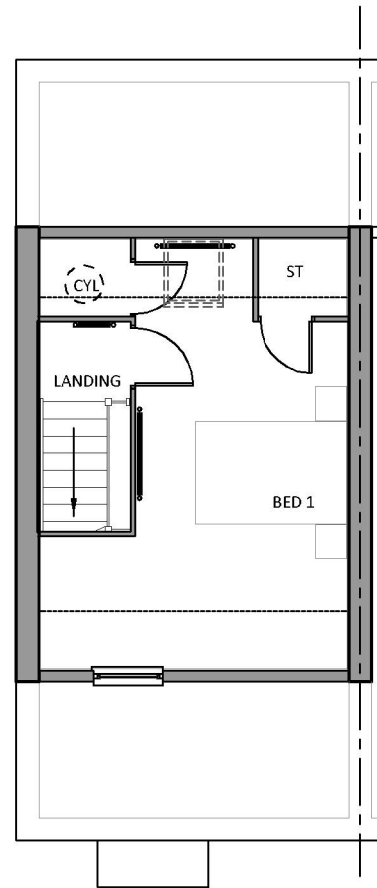
Royal Institute of British Architects



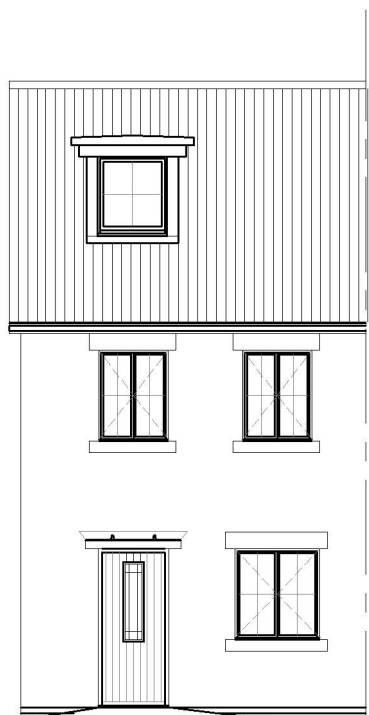
GROUND FLOOR PLAN



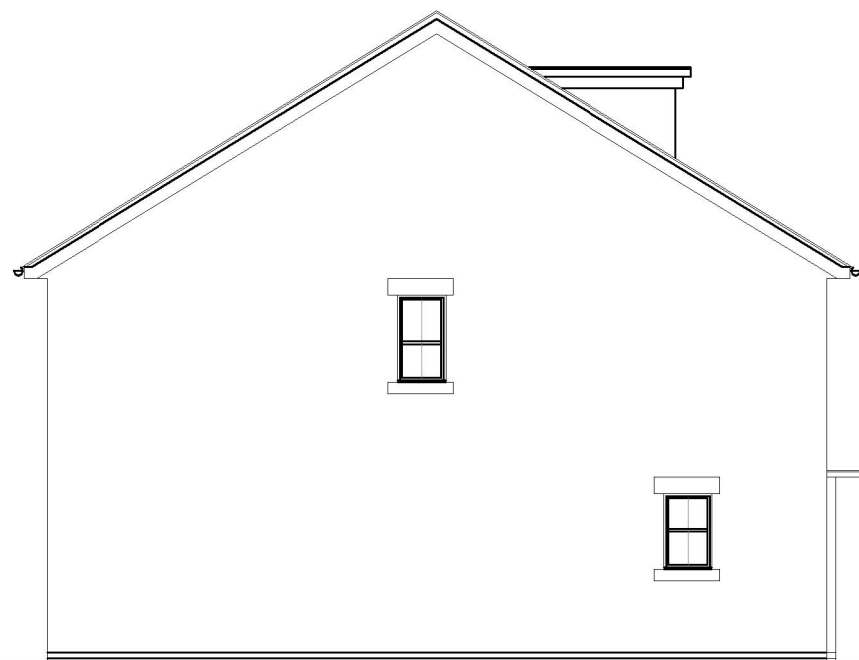
FIRST FLOOR PLAN



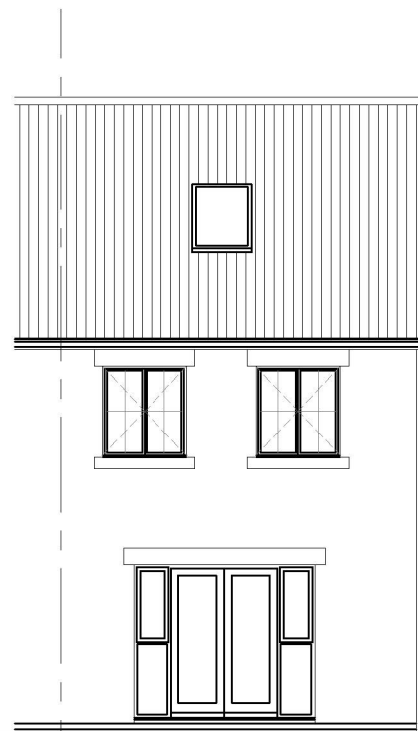
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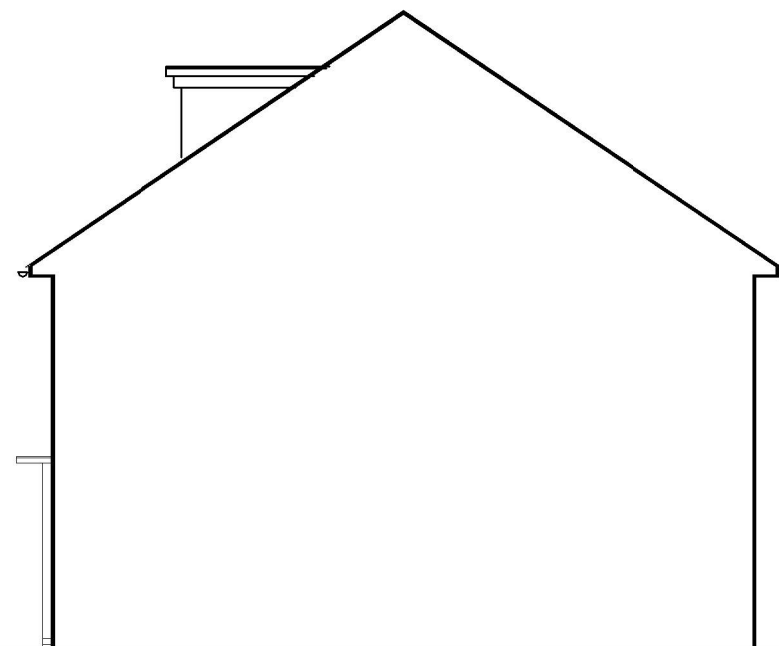
FRONT ELEVATION



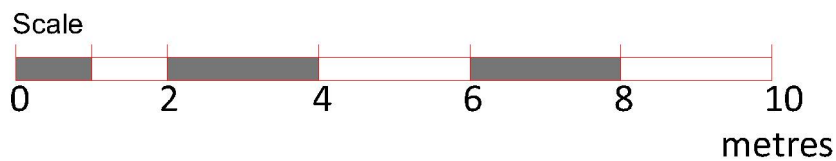
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



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B16 8SP	E-mail: info@archi-tekt.co.uk	www.archi-tekt.co.uk	
1:100@A3	purpose of issue	Planning	
Dec 2021	project	FORMER FIDLER'S ARMS	
BsM	client	16 STRAITS ROAD, DUDLEY, DY3 2UT	
2021-229-012	drawing	HOUSE TYPE 3	

