

Blackbrook Valley Area LDO – Compliance Application Form (LDO – CAF)

Please note: All relevant sections of this form **must** be completed in order for the LDO application to be registered as valid.

1. Applicant Details	
Title:	
First Name:	
Surname:	
Address:	
Town:	
Postcode:	
Contact No:	
Email:	

2. Agent Details	
Name:	
Company Name:	
Address:	
Town:	
Postcode:	
Contact No:	
Email:	

3. Proposed Development	
Description of works (include Use Class of building/site)	
Site area (ha) / Proposed Floorspace (sq m)	
Number of jobs created	

4. Application Site Address	
Unit No/ site:	
Street:	
Town:	
Postcode:	

5. Submission Documents (Required for all applications)

Documentation	Tick to confirm submission
1. Location Plan	
2. Site Layout Plan which includes the means of access and parking	
3. Elevation Drawings	
4. Boundary Treatment / means of enclosure	
5. Details of external plant	
6. Environmental Impact Screening Request	
7. Ground Condition Statement including Remediation Measures	
8. Landscape Scheme	
9. Fee of £462	

**6. Submission Documents Requirements (Required for certain applications depending on nature and scale of proposal and site specific details)
– for criteria refer to Blackbrook Valley LDO adopted document**

Documentation	Tick to confirm submission or not applicable (n/a)
1. Flood Risk Assessment	
2. Ecological Survey	
3. Local Community Economic Benefit Statement	

7. LDO – Qualifying Criteria

Criteria	Tick to Confirm	Office Use
a) The application site falls within the Blackbrook Valley LDO Area as identified within Schedule 1 of the Blackbrook Valley LDO		
b) The proposed development comprises an industrial employment use as a primary use – B1b (research and development), B1c (light engineering), B2 (general industrial) or B8 (Storage and Distribution)		

8. LDO – Main Exemption Criteria

Criteria	Tick to Confirm	Office Use
a) The application site does not encroach into the Parkhead Locks Conservation Area? (Check here - Conservation Area).		
b) The proposal does not impact on Listed Building (Check here - Listed Buildings) or other Heritage Asset		
c) The proposal does not encroach into the Saltwells Local Nature Reserve - Saltwells LNR		
d) The proposal does not breach a condition or limitation of an existing and implemented planning permission, or would breach the provisions of any Planning Obligation		
e) The proposed development does not involve any of the following operations within the application site: landfilling with waste and other disposal of waste into or onto land for other purposes; incineration of waste; treatment and recovery of organic waste; scrap metal recovery; hazardous waste treatment and recovery; screening of building materials; waste transfer		
f) The proposed development will not require the stopping up and/or diversion of a Definitive Public Right of Way, or canal towpath		
g) The proposal will not affect a Highway Improvement Line or abandoned or existing railway line including its embankments and any sidings		
h) The proposal does not primarily comprise the open storage of machinery and/or materials and products		
i) The proposed development does not require the creation of a new vehicular access onto any of the following main highways: A4036 (Pedmore Road); A459 (Cinder Bank); A461 (Dudley Southern By-Pass)		

9. LDO – Selective Exemption Criteria

Criteria	Tick to Confirm or not applicable (n/a)	Office Use
a) The proposed building is less than 8 metres high where it is within 5 metres of a boundary with a canal		
b) The proposed building is less than 15 metres in height when 6 (a) does not apply		
c) The proposed building does not exceed 5,000 square metres gross floorspace		
d) No part of the development is within 15 m of the curtilage of a residential unit		
e) The proposed building does not comprise one which is temporary in nature – e.g. a shipping container or mobile building		
f) The total site area covered by buildings, following the construction of the new building, structure or extension, shall not exceed 70% of the total area of the planning unit		
g) Any proposed boundary treatment does not comprise galvanised steel palisade fencing and/or barbed wire or razor edged fencing, and does not exceed;- <ul style="list-style-type: none"> a. 1 metre in height within 2 metres of a public highway; b. 2 metres in height where it adjoins the canal or conservation area; c. 3 metres in height in any other cases 		
h) When a trade counter forms part of the proposal, this does not exceed more than 10% of the gross internal floor area		
i) Where demolition is involved, no Heritage Asset will be affected		

10. Compliance with Conditions

Condition	Tick to Confirm	Office Use
<p>I/ we understand that the following conditions apply and will be imposed in the Determination Letter issued should the proposed development be determined as LDO Compliant.</p> <p>1. Commencement Condition</p> <p>Development which is determined as LDO compliant by the LPA, as being in compliance with the terms and provisions of this LDO, shall commence within 2 years of the date of this decision.</p>		
<p>2. Use Class Condition</p> <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) 2015 (GPDO), as amended, or succeeding orders, the development hereby approved by this LDO shall only be used for B1b, B1c, B2 or B8 Uses or a combination thereof as the primary use of the planning unit, and for no other purposes, including, subsequently, for</p> <p>A. dwellinghouses under Class PA of The Town and Country Planning GPDO (England) (Amendment) Order 2016, or</p> <p>B. for a temporary use under the provisions of Schedule 2, Part 3 Class P or Schedule 2, Part 4, Class D of the 2015 Order.</p>		
<p>3. Environmental Protection Condition</p> <p>A. Where development comprises a new building or extension, this shall be constructed so as to provide sound attenuation against internally generated noise of not less than 35db average over the frequency range of 100 – 3150 hz</p> <p>B. Any industrial processes associated with the development shall be primarily carried out within a building</p> <p>C. Any industrial processes associated with the development shall be operated in such a way as to not cause statutory noise nuisance</p> <p>D. Adjoining occupiers shall be protected from the vibration resulting from any new proposed development / process</p>		

4. Land Contamination Condition

All development shall be carried out having regard to any actual or potential land contamination at the site, including any land instability issues resulting from the coal mining legacy of the area. The responsibility for the safe redevelopment of the site in this regard rests with the developer. The agreed remediation scheme shall be implemented on site in complete accordance with approved details set out in the agreed Ground Conditions Statement, unless otherwise agreed in writing by the Local Planning Authority. Furthermore, following implementation and completion of the approved remediation scheme 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 the verification plan.

5. Drainage Condition

- A. Surface water and foul drainage shall drain to separate systems
- B. No surface water from the site shall discharge onto the public highway or into the canal unless the relevant body(ies) have agreed to this
- C. The surface water discharge from the site shall be reduced by at least 30% compared to the existing peak flow
- D. The recommendation of any Flood Risk Assessment shall be implemented in full
- E. All chemical/fuel storage tanks must be surrounded by bund walls of suitable construction and sufficient height to contain the contents of the tanks and associated pipework in the event of a spillage.

6. Highways Condition

- A. The development shall not be occupied until its vehicular access is connected to the adopted highway network and the parking areas are formally laid out in accordance with the submitted plans
- B. All servicing of the development shall take place from within the site and not from the public highway and adequate turning space shall be provided on the site such that vehicles can enter and exit in a forward gear
- C. The development shall provide for secure, safe and accessible cycle parking and electric vehicle charging points.

7. Landscape and Nature Conservation Condition

- A. The submitted landscape scheme shall be implemented in full in the first available planting season following the completion of the development, and thereafter be maintained by the owner or occupier(s) of the site or persons instructed by the owner or occupier(s)
- B. The recommendation of any Ecological Report on measures to mitigate against the loss of habitat for protected species and/or enhance biodiversity shall be implemented in full.

8. Local Community Benefit Condition

The recommendations of any statement on local employment and training initiatives opportunities generated by the construction and/or operation of the development shall be implemented.

Agreement to compliance with all the above conditions

Signed Applicant

Or Signed Agent

Date

11. Declaration

I/ we hereby apply for a Determination Letter granting consent to carry out development under Dudley MBC's Blackbrook Valley Local Development Order (LDO).

I /we confirm that to the best of my/our knowledge, any facts stated in this form are true and accurate. I understand that:

- If the information provided is subsequently found to be incorrect the certificate will be null and void.
- Any breaches of the LDO would require a full retrospective planning application to be submitted, with the required information and fee.
- Consent under building regulations must, if required, also be obtained before works commence.

Applicant Name:

Or Agent Name:

Date:

Applicant Signature:

Or Agent Signature:

Date:

12. Office Uses only

Recommendation (tick as appropriate):-

The proposal has been screened and does not require an Environmental Statement pursuant to the Town and Country Planning (EIA) Regulations 2017, and

The proposal complies with the terms and conditions of the DMBC Blackbrook Valley Local Development Order.

Or,

The proposal does not comply with the terms and conditions of the DMBC Blackbrook

Valley Local Development Order - for the following reason(s):

Checked by:

Date:

Notes: