

**SANDWELL METROPOLITAN BOROUGH COUNCIL**

**PLANNING PERMISSION  
TOWN AND COUNTRY PLANNING ACT 1990**

**THE TOWN AND COUNTRY PLANNING (APPLICATIONS) REGULATIONS 1988**

Name and Address of Applicant	Name and Address of Agent
Mintworth Ltd Phoenix House Castle Street Tipton DY4 8HY	Bea Landscape Design Ltd The Westlands 132a Compton Road Wolverhampton WV3 9QB

Site: Apollo Lagoon Shidas Lane Oldbury West Midlands

Particulars of Development: Infill of lagoon with inert material.

Application received on: 16 Jul 2004.

Valid application received on: 7 Feb 2005. Amended on 8 Jul 2005

The Borough Council of Sandwell as local planning authority considered the application as described above on 31 Aug 2005. **PLANNING PERMISSION IS GRANTED** for the above described development proposed in the application numbered as shown above and in the plans and drawings attached thereto, copies of which are attached to this notice, subject to the following conditions:-

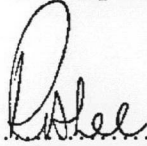
**Conditions**

1. The development must conform with the terms of and the plans accompanying the application for permission and must remain in conformity with such terms and plans, save as may be otherwise required by (any of) the following condition(s), or approved amendment(s).
2. The development must be begun not later than the expiration of 3 years from the date of this permission. Continued overleaf

**Reasons**

1. To ensure that any development undertaken under this permission shall not be otherwise than in accordance with the terms of the application, on the basis of which permission is being granted, except in so far as other conditions may so require.
2. Pursuant to section 91 of the Town & Country Planning Act 1990

Date ..... 05 SEP 2005 .....

Signature .....  .....  
Director of Planning & Transportation

**N.B.**

1. **THIS IS A PLANNING PERMISSION ONLY. IT IS NOT AN APPROVAL:-  
(A) UNDER THE BUILDING REGULATIONS (WORK WHICH REQUIRES SUCH APPROVAL MUST NOT START UNTIL IT HAS BEEN OBTAINED): OR  
(B) UNDER ANY OTHER STATUTORY PROVISION**
2. **YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF.**

**Conditions continued:**

3. Before the development is commenced details of the location and treatment of mineshafts shall be submitted to and approved by the local planning authority.
4. Before the development is commenced details of the infilling procedures shall be submitted to and approved by the local planning authority.
5. Before the development is commenced details of the settlement lagoon shall be submitted to and approved by the local planning authority.
6. Before the development is commenced details of the fill materials to be used shall be submitted to and approved by the local planning authority.
7. Before the development is commenced details of a scheme of dust suppression, road maintenance, sweeping and cleaning for the duration of the infilling works shall be submitted to and approved by the local planning authority.
8. The scheme approved in pursuance of the preceding condition shall be operated until the infilling works have been completed.
9. The infilling works shall not be commenced unless and until the temporary access from Rounds Green Road has been provided in accordance with the details shown on the approved plans.
10. Before the development is commenced details of the laying out, grading and surfacing of the temporary access shall be submitted to and approved by the local planning authority.
11. The temporary access shall be closed and the boundary wall rebuilt when the infilling works have been completed.
12. Before the development is commenced details of the routeing of construction traffic shall be submitted to and approved by the local planning authority.
13. Before the temporary means of access is brought into use signs of a type and design to be approved by the local planning authority shall be provided in positions to be approved by the authority for the purpose of informing drivers of the requirements of the preceding condition of this permission regarding the routeing of vehicles.
14. The signs provided in compliance with the preceding condition of this permission shall be retained as such until the infilling works have been completed..
15. Before the development is commenced details of space to be provided within the curtilage of the site for the parking of vehicles in connection with the development shall be submitted to and approved by the local planning authority.
16. The development shall not be brought into use until the approved space for the parking of vehicles has been provided.
17. When provided the approved space for the parking of vehicles shall be retained as such.
18. The finished levels shall not exceed those shown on the approved plans.

19. Before the development is commenced a detailed landscaping and planting scheme shall be submitted to and approved by the local planning authority.
20. The approved landscaping and planting scheme shall be implemented within eight months of the completion of the infilling works.
21. Any tree, hedge or shrub planted as part of the landscaping scheme (or replacement tree/hedge) on the site, and which dies or is lost through any cause during a period of 3 years from the date of first planting, shall be replaced in the next planting season.
22. Within 8 months of the completion of the infilling works a post reclamation report shall be submitted and approved by the local planning authority.

**Reasons continued:**

3. In the interests of public safety.
4. In the interests of public safety.
5. In the interests of public safety.
6. In the interests of public safety.
7. To protect the amenities of the area and the safety and convenience of users of the highway.
8. To protect the amenities of the area and the safety and convenience of users of the highway.
9. In the interests of the safety and convenience of users of the highway
10. To ensure that the access can be used conveniently and in all weather.
11. To protect the amenities of the area and the safety and convenience of users of the highway.
12. In the interests of the safety and convenience of users of the highway.
13. In the interests of the safety and convenience of users of the highway.
14. In the interests of the safety and convenience of users of the highway.
15. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway.
16. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway.
17. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway.
18. To define the permission.
19. To enhance the appearance of the development.
20. To enhance the appearance of the development.

21. To enhance the appearance of the development.
22. In the interests of public safety.

## **REASON FOR DECISION**

**After giving consideration to the existing pattern of development in the area and the relevant provisions of the Unitary Development Plan, as summarised below, it is considered that subject to the conditions attached to this permission, the proposed development would be in accordance with the Unitary Development Plan, would not materially harm the character or appearance of the area, or the amenity of neighbouring occupiers, and would be acceptable in terms of traffic safety and convenience.**

## **NOTE FOR APPLICANT**

**The following Policies And Proposals Contained Within Sandwell Council's Unitary Development Plan Are Relevant to the Determination of this Application:**

### **POLICY PC4.POLLUTION CONTROL**

The Council will only permit pollution sensitive developments in close proximity to potentially polluting uses where it can be shown that there would be no detrimental impact on the health or amenity of future occupiers. Where appropriate, conditions or planning obligations will be applied to ensure any impacts are minimised.

### **POLICY PC8 SURFACE WATER**

The Council recognises the importance of the natural watercourse system for providing essential drainage, which will be protected when considering any form of development.

Therefore, the Council will:

Ensure that new development constructed in areas susceptible to flooding should be protected to an appropriate standard to ensure that it is safe.

Flood defences required as a result of development should be fully funded by developers as part of the development;

Endeavour to ensure that adequate foul and surface water provision is available to serve new development, and that the ultimate discharge does not cause an environmental problem;

Resist development that poses an unacceptable threat to the quality of surface and ground waters; and

Ensure that adequate pollution control measures are incorporated into new developments, to reduce the risks of water pollution.

The Council will encourage developers to consult the Environment Agency for any advice concerning floodplains, before submitting applications for planning permission.