



Appeal Decision

Hearing Held on 25 November 2020

Site visit made on 26 November 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Ref: APP/R1845/W/19/3243291

Drakelow Tunnels, Kingsford Lane, Kingsford, Kidderminster DY11 5SA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Hogg of London City Bond Ltd against the decision of Wyre Forest District Council.
 - The application Ref 19/0242/FULL, dated 17 April 2019, was refused by notice dated 16 October 2019.
 - The development proposed is change of use of approximately 285,000 sq feet of floorspace within the Drakelow Tunnels for the storage of wine and other alcoholic drinks, the erection of 2 portacabins to provide office and security accommodation, the provision of car and cycle spaces, the erection of fencing along the front and side boundaries of the site, the erection of new entrance gates and fencing, refurbishment of an existing metal structure to provide a reception canopy, and internal works to a disused sub-station to provide alternative bat habitat and the change of use of part of the Tunnel space to provide a Museum.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of approximately 285,000 sq feet of floorspace within the Drakelow Tunnels for the storage of wine and other alcoholic drinks, the erection of 2 portacabins to provide office and security accommodation, the provision of car and cycle spaces, the erection of fencing along the front and side boundaries of the site, the erection of new entrance gates and fencing, refurbishment of an existing metal structure to provide a reception canopy, and internal works to a disused sub-station to provide alternative bat habitat and the change of use of part of the Tunnel space to provide a Museum at Drakelow Tunnels, Kingsford Lane, Kingsford, Kidderminster DY11 5SA in accordance with the terms of the application, Ref 19/0242/FUL, dated 17 April 2019 and subject to the conditions set out in the schedule at the end of this decision.

Preliminary Matters

2. As part of the appeal submission, the appellant submitted an amended plan (Drawing No OC163-PL-04 Rev G) which showed the provision of 30 car parking spaces. The application was originally made showing the provision of 40 car parking spaces, but during the course of the appeal application, this was reduced to 22 spaces as shown on Drawing No OC163-PL-04 Rev F. It was this drawing that was the basis for consultation with local residents and was the plan on which the Council determined the appeal application.

3. The Planning Inspectorate's guidance states that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought. In this regard, the Wheatcroft Principles that arose from a High Court judgement which considered the issue of amendments, are relevant. It established that the main, but not the only, criterion on which the judgement should be exercised is whether the development is so changed that to grant it, would be to deprive those who should have been consulted on the changed development of the opportunity of such consultation. An integral part of the legal test is the issue of fairness to third parties.
4. I have reviewed the changes suggested by the revised drawing and made comparisons with those upon which the Council based its decision and its consultation with interested parties, including local residents. I consider that the changes introduced through the amendments are of an overriding significance and that local residents would be prejudiced if I were to consider the revisions as part of the appeal. Therefore, I shall determine the appeal on the basis of Drawing No OC163-PL-04 Rev F, as determined by the Local Planning Authority.
5. The proposal is supported by a planning obligation in the form of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990. I have had regard to it in reaching my decision.
6. The appeal hearing was conducted as a Virtual Hearing.

Main Issues

7. The main issues in this appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt, having regard to the openness of the Green Belt;
 - The highway implications of the proposal, including accessibility, location and parking provision; and
 - If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

8. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
9. The National Planning Policy Framework (the Framework) identifies that the construction of new buildings should be regarded as inappropriate development in the Green Belt, other than in respect of a limited range of specified exceptions. Paragraph 145(g) of the Framework identifies one of the exceptions to be limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary

- buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
10. Policy SAL.UP1 of the Council's Site Allocations and Policies Local Plan (SAPLP) identifies that development will not be permitted, except in very special circumstances and identifies a range of exceptions. Criteria v. refers to the development of previously developed land and requires proposals to accord with policies contained within Part B of the SAPLP. Policy SAL.PDS1 refers to the development of previously developed sites within the Green Belt and, for sites not specifically allocated by the Policy, proposals should contribute to the achievement of the objectives for the use of land in Green Belts; not exceed the height of the existing buildings and other structures and trees; and not give rise to off-site infrastructure problems.
 11. I note that the adoption of the SAPLP predates the publication of the Framework. Despite this, the policies in the SAPLP are broadly in accordance with the policies contained within Section 13 of the Framework. It is my duty to determine the scheme in accordance with the development plan unless material considerations indicate otherwise. However, where there is inconsistency between the SAPLP and the exceptions identified in Paragraph 145 of the Framework, the Framework attracts more weight.
 12. It is common ground between the parties that elements of the site comprise previously developed land. From my site visit and my own assessment, I have no reason to disagree with this conclusion.
 13. The proposal would involve the removal of all existing buildings and structures from the site and their replacement with new buildings to serve the proposed use. On this basis, I do not consider the proposal to constitute limited infilling. In terms of Paragraph 145 (g), it therefore falls to be considered on the basis of partial or complete redevelopment.
 14. Paragraph 145(g) requires such a redevelopment not to have a greater impact on the openness of the Green Belt than the existing development. Paragraph 133 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. There is no definition of 'openness' in the Framework, but it is commonly taken to mean the absence of built or otherwise urbanising development.
 15. As well as the Tunnels, the existing development comprises a mix of single storey buildings, temporary storage containers and open-sided covered structures. The remainder of the external element of the site is used in connection with the existing operation, with the presence of materials, machinery and parking areas. Working activity associated with the use appears to take place predominately within the external area of the site, with the buildings being used mainly for storage or welfare purposes. Overall, the site has an informal appearance and, notwithstanding the existing buildings, structures and activity on the site, is predominately open.
 16. In contrast, the proposed buildings would have a more permanent appearance and, to serve the proposed use, there would be a significant increase in the number of cars parked within the site. The office block, whilst positioned on an area of hardstanding, would otherwise sit in an area that is currently undeveloped and open.

17. There would be a substantial increase in the number of employees on site, which, in comparison to the existing operation would increase the overall level of activity, both on and off the site. Whilst the proposed use would occur predominately within the Tunnels, given the considerable increase in staff numbers and the nature of the proposed operation, I am not convinced by the appellant's submission that the level of activity would be no more than the existing. Therefore, when combined with the more permanent appearance of the buildings and their location, the proposed use would result in the site having a more urban, developed feel, when compared with the existing operation.
18. Evidence was submitted by the appellant to show that the proposed development would result in a reduction in the amount of floorspace. Openness, however, is not just about visual impacts, but it also has a spatial element. In this instance, due to the urbanising effect of the proposal, it would have a greater impact on the openness than the existing development. Although, due to this acknowledged reduction in floorspace, the harm to the openness of the Green Belt would be limited.
19. Whilst this harm would be limited, this would be contrary to the Framework where it states an essential characteristic of Green Belts are their openness. Consequently, notwithstanding its status as previously developed land, it would not fall within the scope of development described in Paragraph 145(g) of the Framework. It follows therefore, that the proposal constitutes inappropriate development in the Green Belt. As I have already considered the impact of the proposal on openness, and found it to cause limited harm, there is no requirement to consider it further as a separate matter. It has not been put to me that the proposed development would not be inappropriate development in the Green Belt for any other reason and I have found no reason to believe that it would.
20. Therefore, when assessed against relevant sections of the Framework and the adopted Policies in the SAPLP, the proposal would represent inappropriate development within the Green Belt.

Highway implications

21. The surrounding highway network is predominately rural in character, narrow in locations, with a rural speed limit. Despite this, there are no restrictions either with regards to the weight or accessibility by vehicles. Evidence was presented to show that the roads are currently used by a mix of vehicle types and sizes, with vehicles around the appeal site generally travelling at relatively slow speeds. Furthermore, I note that the existing operation on site itself generates a number of uncontrolled traffic movements.
22. The proposal would limit vehicular access to the site to be no more than twelve HGVs a week, with a maximum of three per a day, and no more than ten light vans per day. A condition was proposed to restrict this. With regards to the delivery route, a plan was submitted to show how larger vehicles would access the site, with the Planning Obligation setting out measures to be put in place to ensure that drivers adhere to the route. Further measures would also be put in place to avoid more than one HGV being on site at any one time.
23. There are a number of potential pinch points in particular along Sladd Lane. However, given the restricted number of vehicles that would access the appeal

site, the chances of vehicles meeting would appear to be low. In the event that this did occur, I observed that there would appear to be sufficient forward visibility prior to these points to enable drivers to allow vehicles to pass through, before proceeding, thereby avoiding any potential conflict.

24. Considering the nature of the surrounding highway network, any uncontrolled increase in the number of vehicles, in particular larger HGVs, would be likely to have a significant impact on surrounding roads. However, in this case, considering the mitigation measures proposed by the appellant, the level of commercial traffic which would be generated by the development would be small, and would have a negligible effect upon the surrounding highway network. Therefore, when assessed against Paragraphs 108 and 109 of the Framework, the commercial vehicles generated by the proposed development, would not have a significant effect on the surrounding transport network or have an unacceptable impact upon highway safety.
25. Turning to the accessibility of the site for future employees, it is accepted by both parties that the site lies in an unsustainable location. Neither is the site served by a suitable public transport route.
26. Policy CP03 of the Adopted Core Strategy requires development proposals to have full regard to the traffic impact on the local highway network, with proposals that are likely to have a significant impact on the local transport network required to submit a Travel Plan. Policy SAL.CC1 of the SAPLP seeks to encourage the provision of sustainable transport infrastructure. Policy SAL.CC2 of the SAPLP identifies that parking will be considered on a site-by-site basis, with a requirement to ensure parking is integrated into development proposals and the extent of surface parking is minimised.
27. With the exception of a very small section along Sladd Lane, the surrounding roads have no footpaths and are unlit. As a consequence, none of the roads provide an attractive or suitable route for employees seeking to walk to work. Furthermore, given the topography and nature of the roads, neither would they be attractive to anyone other than the most confident of cyclists. There is potential that some employees may live locally. However, I am not convinced that this would be of a substantial number to make the site sustainable. In any event, even local employees would need to use these rural roads.
28. It is recognised in Paragraph 103 of the Framework that in rural areas, the potential to provide for alternative means of transport, is often more limited than within urban locations. However, in this case, I find the characteristics of the location to be one that would not provide any suitable opportunity for future employees to use alternative modes of transport or be in a location where alternative modes are a realistic choice. It is therefore likely that future employees would need to rely heavily upon private vehicles to access the site.
29. In support of the scheme, the appellant has proposed a Travel Plan. Due to the location of the site and the lack of realistic alternatives, I consider that the Travel Plan can do little to discourage the private car as being the main transport choice for future employees. However, having a single modal choice, makes the delivery and implementation of the Travel Plan arguably more straightforward, with the measures predominately seeking to facilitate and encourage car sharing. Furthermore, given the lack of realistic transport alternatives, it is likely that staff would be welcoming and supportive towards

- its adoption, especially if it were to provide future employees with obvious benefits in terms of enhanced accessibility to work.
30. The provision of a minibus service would introduce an alternative to the private car, although this would only benefit those staff that live in close proximity to the intended route. The minibus is only proposed, in the first instance, to run for a period of a year to see if it is a viable proposition. In this regard, I share some of the concerns raised by the Highway Authority over the requirement to make a long-term commitment to this measure. However, on the other hand, I recognise the need for the appellant to ensure such a service is viable and effective. In this regard, I consider the Travel Plan to be a 'living' document, which can be reviewed over time and, once exact staff numbers and their locations are known, measures can be adapted accordingly to ensure that it works effectively.
 31. Therefore, whilst the site lies in an unsustainable location, I am persuaded by the evidence, in conjunction with the measures that would be brought forward through the Travel Plan and the Planning Obligation, that an acceptable modal shift away from the reliance upon the private car can be achieved, so as to meet development plan policy.
 32. In terms of car parking, it was confirmed by the Highway Authority that their adopted policy and standards do not seek to impose a requisite number of spaces upon an operator. Instead, it is left to the operator to justify how much parking is required to serve their development, having regard to other policies that seek to minimise the reliance on the private car and policies contained within the Framework.
 33. The proposal would involve the provision of car parking at a ratio of less than one per staff member. It is intended that parking on site would be controlled through the implementation of a parking permit scheme, with only staff that have been issued with a car parking permit allowed to park on site. Measures would also be introduced to prevent unauthorised car parking taking place outside of the site, thereby discouraging those employees without a parking space to drive.
 34. Overall, in combination with the measures that would be contained within the Travel Plan and the Planning Obligation, and the need to discourage the reliance on the use of the private car, I consider that the level of car parking on site would be adequate to meet the needs of the proposed business, whilst at the same time, working to achieve a suitable degree of modal shift.
 35. Concern was expressed by the Council at the Hearing with regards to the enforcement of unauthorised cars parked outside the appeal site, although this issue seemed to relate to the resourcing of the matter, rather than the actual enforceability of the provision. Having reviewed the measures, I can see no reason to suggest that such an approach is not enforceable.
 36. Therefore, when assessed against the development plan and Paragraphs 108 and 109 of the Framework, and considering the mitigation proposed, the proposal would not have a significant effect on the surrounding transport network or have an unacceptable impact upon highway safety.

Other considerations

37. Paragraph 144 of the Framework requires decision makers to ensure that substantial weight is given to any harm to the Green Belt. Other considerations in favour of the development must clearly outweigh the harm.
38. In support of the appeal scheme the appellant has argued that the proposal would provide an economic benefit in relation to the creation of around 40 new jobs, along with other benefits for the wider supply chain. Where possible, these jobs would be created locally. I acknowledge that the proposal would potentially provide a substantial economic benefit, and this weighs in favour of the proposal.
39. A further benefit of the development put forward by the appellant was the creation of a new museum within the Tunnels, with its own dedicated entrance area. This would allow visitors more easy access and would replace the current informal access arrangements. Given the importance and significance of the Tunnels, the provision of a specific museum would provide social, economic and benefits to the historic environment, which weigh in favour of the proposal.
40. The appellant has cited the provision of environmental improvements in terms of enhanced landscaping and a reduction in the overall noise generated from the site. These improvements would also benefit local residents. I acknowledge that these benefits weigh in favour of the proposal, however I would anticipate that these measures to be required with most development proposals regardless of their location, therefore they attract only limited weight.
41. The proposal would involve the creation of a bespoke bat roost within the former electricity sub-station, with the appellants submitting that this new habitat would serve as a significant improvement to bio-diversity within the area. The new roost would be separated from the proposed development and not accessible to either employees or visitors to the Tunnels. Given the protection afforded to bats, the provision of such a new habitat weighs in favour of the proposal.
42. Due to its location, set back from the road and the screening effect of intervening planting and established boundary treatment, the existing development has a limited influence on the streetscene. The closure of the access on the southern boundary and the introduction of new landscaping around the site would further serve to minimise the overall visual impact of the proposal. Long distance views of the site are limited and are filtered by surrounding tree cover and topography. As a consequence, given the existing use and appearance of the site, along with the contextual backdrop provided by the existing landscaping, the proposal would cause no material harm to the character and appearance of the area.
43. I note that the Council raise no other issues in relation to ecology, flooding and impact on neighbouring occupiers, amongst other things. However, as these are requirements of policy and legislation, the absence of harm in respect of these matters are neutral factors that weigh neither for nor against the development.

Green Belt balance

44. The proposal would constitute inappropriate development in the Green Belt. As such, the Framework requires that the harm by reason of inappropriateness be accorded substantial weight. In addition, limited harm would result from the reduction in the openness of the Green Belt.
45. In the context of the above, very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations. Consequently, other considerations weighing in favour of the development must clearly outweigh any harm.
46. Principal amongst these is the fact that the proposal would provide economic benefits in the form of the creation of a substantial number of jobs on the appeal site. In this regard, I acknowledge the three overarching principles to achieving sustainable development as set out in the Framework, with the economic objective seeking, amongst other things, to help build a strong, responsive and competitive economy. Paragraph 80 of the Framework identifies that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Such a need for supporting economic growth is further reinforced by the current economic position and the recovery and investment required to address the economic impacts of the Covid 19 pandemic.
47. Coupled with this, is the opportunity to create a museum that would allow ready and convenient access to the Tunnels. Their importance and the need to retain them and provide a lasting memory of their past uses, is something which features heavily in a number of the third party representations.
48. For these reasons, I therefore accord the economic and public benefits of the proposal more than substantial weight.
49. I therefore conclude that, when taken together, the identified other considerations put forward, clearly outweigh the harm to the Green Belt, and would amount to very special circumstances sufficient to justify permitting the proposal.

Conditions

50. At the hearing, a number of minor changes to the conditions were suggested, to ensure that the correct plan references were included within the conditions. As such, and in light of my conclusion in the Preliminary Matters section of this decision, I have made the requisite amendments in the interests of clarity and precision.
51. The suggested conditions have been considered in light of the advice contained within the Framework and the National Planning Practice Guidance. A standard implementation condition, along with a requirement to implement the scheme in accordance with the approved plans is necessary.
52. To protect the living conditions of surrounding residents, it is necessary to attach a condition to restrict the hours of use on the site and to ensure that deliveries only take place within those specified hours. For the same reason, it is necessary to attach conditions to ensure the acoustic barrier and boundary

- fencing is installed, prior to the use commencing, along with the permanent closure of the existing southern access.
53. To protect the character and appearance of the area, it is appropriate to attach a condition requiring the submission of a landscaping scheme. To ensure bio-diversity enhancement is delivered, it is necessary to attach a condition requiring the submission of a Landscape and Ecology Management Plan. For the same reason, it is appropriate to attach a condition requiring the development to be implemented in accordance with the mitigation and enhancement measures identified in the submitted bat survey.
54. To protect the Green Belt, it is appropriate to attach a condition to require the modular buildings to be removed from the site, should the use cease.
55. To protect the character of the area and to protect identified bio-diversity, it is necessary to attach a condition to ensure no external lighting is provided. To prevent issues of surface water, it is necessary to attach a condition requiring the submission of a site drainage strategy.
56. In the interests of highway safety, it is necessary to attach a condition to ensure that the car parking is laid out and available prior to the use of the site. For the same reason, it is necessary to attach conditions to limit the numbers of commercial vehicles and small vans that can access and exit the site.
57. To promote the use of alternative modes of transport and reduce the reliance upon the private car it is necessary to attach conditions requiring the submission of a Travel Plan, the provision of electric vehicle charging points and to ensure that cycle and motorcycle parking is provided on site.
58. To ensure the delivery and continued provision of the proposed museum, it is appropriate to attach a condition requiring the submission of details.
59. To protect the living conditions of local residents and to ensure that the proposal would not have any unacceptable impacts upon highway safety, it is necessary to attach a condition requiring the submission of a Construction Management Plan.

Conclusion

60. I therefore conclude that, having taken everything into account, for the above reasons the appeal should be allowed subject to the identified conditions.

Adrian Hunter

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Peter Brady

The Planning Law Practice

Matthew Last

Ardent

FOR THE LOCAL PLANNING AUTHORITY

Helen Hawkes

Wyre Forest District Council

Paul Round

Wyre Forest District Council

Karen Hanchett

Worcester County Council

Schedule of Conditions

1. The development hereby permitted shall be commenced within three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: OC163-PL-04 Rev F (Site Plan); OC163-PL-02 Rev 00 (Location Plan); OC163-GH-01 (Proposed Floor Layout Plan and Elevations); OC163-OB-01 (Office Block); OC163-PL09-04 Rev 00 (Plan of buildings to be removed); 18041-100 (Landscape Plan); and OC163-RT-01 (HGV Routing Plan).
3. Access to the warehouse use hereby approved shall only take place between the hours of 0730 and 1800 Monday to Fridays and between the hours of 0700 and 1400 Saturdays, with no operation on Sundays or Bank Holidays.
4. Heavy Commercial/Goods Vehicles (exceeding 7.5 tonnes) shall only travel into and out of the site between the hours of 0900 and 1700 Monday to Friday, with no deliveries or collections by such vehicles to be carried out on Saturdays, Sundays or Bank Holidays.
5. Prior to the first use of the development, the acoustic noise barrier/walls to the entrance delivery canopy and to the south and western boundaries shall be first erected and constructed in accordance with the approved details shown on Drawing No OC163-PL-04 Rev F and shall thereafter be retained and maintained.
6. Prior to the first use of the development, the boundary fencing shall be installed in accordance with the approved details shown on Drawing No OC163-PL-04 Rev F and shall thereafter be retained and maintained.
7. The landscaping scheme shall be implemented in accordance with Drawing Nos OC163-PL-04 Rev F and 18041-100 within the first planting season (October to April) following the commencement of the development hereby approved. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.
8. A Landscaping and Ecology Management Plan (LEMP), including a survey of the existing landscape and its condition, long term design objectives, management responsibilities and maintenance operations for all landscape areas and ecological mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The LEMP shall be implemented in accordance with the approved details and thereafter maintained.
9. The modular building (office and staff welfare accommodation) shall be removed and the land restored to its former condition within one month of the warehouse use ceasing business.
10. The development hereby permitted shall be implemented in accordance with the scheme of mitigation and enhancement as set out in the Bat Survey Report and Mitigation Strategy by SES (Southern Ecological Solutions), dated April 2019, submitted with the application.

11. No external lighting shall be installed and operated unless details have been submitted to and agreed in writing by the Local Planning Authority and the lighting has been installed in accordance with the approved details and thereafter maintained.
12. Prior to the first use of the warehouse, a site drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include detailed design of surface water drainage measures, including for hardstanding areas and shall conform with the non-statutory technical standards for SuDs (Defra 2015) and the principles set out in the Flood Risk Assessment (Arden 16 April 2019) and Flood Risk Assessment and Drainage Addendum (Arden 13 May 2019) submitted with the application. The surface water drainage measures shall provide an appropriate level of runoff treatment. The development shall be implemented in accordance with the approved strategy and thereafter maintained.
13. The development hereby approved shall not be brought into use until space has been laid out and surfaced in accordance with Drawing No OC163-PL-04 Rev F for 22 cars to be parked, including 2 disabled parking spaces, and for vehicles to turn so that they may enter and leave the site in a forward gear. These areas shall not be used for other than their designated purpose.
14. The warehouse use hereby permitted shall not be occupied until the covered bicycle/motorcycle storage area as shown on Drawing No OC163-PL-04 Rev F has been provided. These facilities shall thereafter be retained.
15. The warehouse use hereby permitted shall not be first occupied until the application site has been fitted with at least two electric vehicle charging points. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.
16. The warehouse use hereby permitted shall not be occupied until the applicant has submitted a travel plan in writing to the Local Planning Authority, that promotes sustainable forms of access to the development site and has been approved in writing by the Local Planning Authority. This plan will thereafter be implemented and updated in agreement with Worcestershire County Council's Travel Plan Co-ordinator and thereafter implemented as updated.
17. No more than three Heavy Commercial/Goods Vehicles (7.5 tonnes) shall access and exit the site per day, up to a maximum of twelve per week (Monday to Friday). None shall access or exit from the site on Saturdays, Sundays or Bank Holidays.
18. No more than ten light vans shall access and exit the site per day, Monday to Saturday. None shall access or exit the site on Sundays or Bank Holidays.
19. Prior to the first use of the warehouse hereby approved, details of the operation of the public museum shall be submitted to and approved in writing by the Local Planning Authority. The museum shall thereafter remain operational in accordance with the approved details, for as long as the operation of the warehouse use remains.

20. Prior to the first use of the warehouse hereby approved, the redundant vehicular access point located on the southern boundary of the site on Drawing No OC163-PL-04 Rev F shall be closed and not reinstated.
21. The Development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to the following:
- Measures to ensure that construction vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - Details of site operative parking areas, material storage and the location of site operative facilities (offices, toilets etc);
 - The hours the delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;
 - Details of any temporary construction accesses and their reinstatement;
 - A highway condition survey, timescale for re-inspections and details for any re-instatement.

The measures set out in the approved CEMP shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved in writing by the Local Planning Authority.