

Report to Council

30 January 2024

Subject:	Proposed departure from the Development Plan at Land West Of Bridge Street North, Smethwick, B66 2BJ
Director:	John Baker - Assistant Director - Development Planning and Building Consultancy.
Contact Officer:	Andrew Dean Senior Planner andrew_dean@sandwell.gov.uk

1 Recommendations


- 1.1 That approval be given to an exception to the local development plan in respect of planning application DC/23/67863 - Proposed change of use from general industrial to treatment, remediation and recovery facility for contaminated soils, construction, demolition and excavation of waste with 1 No. soil treatment shed and 4 No. office/meeting rooms, 1 No. mess drying room, toilet block, store, weighbridge unit, picking station, decontamination unit, clean material area and 2 No. holding tanks and covered post treatment areas, oversized processing area, parking and the creation of a new vehicular access - Temporary planning permission for 3 years at Land West Of Bridge Street North, Smethwick, B66 2BJ.



2 Reasons for Recommendations

- 2.1 The proposal is on land allocated for housing within the Site Allocations and Delivery Development Plan Document. It is necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.
- 2.2 Although the site is allocated for housing land, it is part of a wider allocation and could not be developed in isolation for residential development, as in close proximity to the site are located existing employment uses. For housing to be acceptable on the site, the Council would be looking for a comprehensive development of the wider residential allocation. The proposal is acceptable in its scale, design and appearance, would cause no harm to the safety and convenience of users of the highway and would not cause significant harm to the amenity of the occupiers of adjacent properties. Furthermore, the granting of a temporary approval would not prevent the site coming forward for residential development in the future which is the long-term aspiration.

3 How does this deliver objectives of the Corporate Plan?

	A strong and inclusive economy
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4 Context and Key Issues

- 4.1 At the meeting of Planning Committee held on the 29 November 2023, consideration was given to planning application DC/23/67863 - Proposed change of use from general industrial to treatment, remediation and recovery facility for contaminated soils, construction, demolition and excavation of waste with 1 No. soil treatment shed and 4 No. office/meeting rooms, 1 No. mess drying room, toilet block, store, weighbridge unit, picking station, decontamination unit, clean material area and 2 No. holding tanks and covered post treatment areas, oversized processing area, parking and the creation of a new vehicular access - Temporary planning permission for 3 years.



- 4.2 At the meeting, the Committee approved the planning application with conditions subject to the application being referred to Full Council as a departure from the approved development plan.
- 4.3 The application was publicised by neighbour notification letter, site notice and press notice with 16 objections being received.
- 4.4 Council will need to approve the application as it is a departure from the Development Plan. The site is currently allocated for housing; therefore, it is necessary for the Council to consider whether or not to grant an exception to adopted policy to allow the application to proceed.
- 4.5 The purpose of this report is to discuss the 'departure' from the Development Plan only. It is not the role of Council to reconsider the wider planning merits of the application which have already been considered by the Planning Committee.
- 4.6 The Council's Highways, Planning Policy, Conservation Officer and Public Health (noise, contaminated land and air quality have all been consulted as well as West Midlands Police, Lead Local Flood Authority, Severn Trent, Health and Safety Executive and the Canal and River Trust. There were no objections subject to various conditions being imposed.

5 Alternative Options

- 5.1 Refusing the departure is an option, in doing so clear planning justification would have to be provided as any refusal of planning permission could result in an appeal and costs being awarded against the Council.



6 Implications

Resources:	When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the Council.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	No Risk Implications arising from this report.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	There are no Health and Wellbeing implications arising from this report.
Social Value	There are no Social Value Implications arising from this report.
Climate Change	Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed.
Corporate Parenting:	None Relevant.



7. Appendices

None

8. Background Papers

- 8.1 Planning application reference – DC/23/67863 - Proposed change of use from general industrial to treatment, remediation and recovery facility for contaminated soils, construction, demolition and excavation of waste with 1 No. soil treatment shed and 4 No. office/meeting rooms, 1 No. mess drying room, toilet block, store, weighbridge unit, picking station, decontamination unit, clean material area and 2 No. holding tanks and covered post treatment areas, oversized processing area, parking and the creation of a new vehicular access - Temporary planning permission for 3 years.

<https://sandwell.moderngov.co.uk/documents/s18742/Planning%20Application%20-%20DC-23-67863.pdf>

