

Report to Planning Committee

15 May 2024

Application Reference	DC/23/68894
Application Received	28 November 2024
Application Description	Proposed erection of new industrial unit adjacent to existing.
Application Address	Yard, 196 Oldbury Road, West Bromwich.
Applicant	Chris Ashmore, R & A Properties Ltd, Unit 8 Ashmore Industrial Park, Great Bridge Street, West Bromwich, B70 0BW.
Ward	Greets Green & Lyng.
Contact Officer	Anjan Dey anjan_dey@sandwell.gov.uk

1 Recommendations

1.1 That, subject to ratification by Council, planning permission is granted subject to conditions relating to:


- (i) External materials;
- (ii) Reporting and mitigation of ground contamination (if found);
- (iii) Drainage details;
- (iv) Construction environmental management plan;
- (v) Operating hours - 08:00 to 18:00 (Monday to Friday) and 08:00 to 15:00 (Saturdays), with no opening on Sundays or bank holidays;
- (vi) Provision and retention of waste storage; and
- (vii) Provision and retention of parking.



2 Reasons for Recommendations

2.1 The proposal would create jobs and bring investment into the local area.

3 How does this deliver objectives of the Corporate Plan?

	A strong and inclusive economy
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4 Context

4.1 The application is being reported to your committee as the proposed use is a departure from the Council's development plan.

4.2 To assist members with site context, a link to Google Maps is provided below:

[Yard, 196 Oldbury Road, West Bromwich.](#)

5 Key Considerations

5.1 The site is allocated for housing and if members were to approve the application, it would have to be considered at Council for ratification.

5.2 Material planning considerations (MPCs) are matters that can and should be taken into account when making planning decisions. By law, planning decisions should be made in accordance with the development plan unless MPCs indicate otherwise. This means that if enough MPCs weigh in favour of a development, it should be approved even if it conflicts with a local planning policy.

5.3 The material planning considerations which are relevant to this application are:-



Government policy (NPPF)
Proposals in the development plan
Traffic generation

6. The Application Site

6.1 The application site is a rectangular yard that is adjacent to 196 Oldbury Road, West Bromwich. The applicant is also the owner of 196 Oldbury Road and the site is currently being used for the sale of motor vehicles. The surrounding area is predominantly industrial/commercial in nature with some residential properties to the north. Interlux Business Park is located to the south of the site and levels across the site are generally even.

7. Planning History

7.1 There are no relevant planning applications for the site, but a pre-application enquiry was submitted in May 2023 for a new unit, which received a favourable response from the council.

8. Application Details

8.1 The applicant proposes to construct a new industrial unit (B2 use class) adjacent to the existing. The floor area for the new unit is proposed at 277m². Access/egress would be from Oldbury Road with five parking spaces shown to the side of the unit within the site area. The agent has revised parking arrangements to show that additional parking spaces are available opposite the site with Interlux Business Park, and also at the rear of the site.

8.2 The agent has advised there is an existing outbuilding at the northern part of the site that the applicant is proposing to refurbish and use for waste storage. Amended plans have been submitted to show the proposed area to be used for waste storage.

8.3 There would be a maximum of two people employed at the unit and proposed hours of business are 08:00 to 18:00 (Monday to Friday) and



08:00 to 15:00 (Saturdays) with no opening on Sundays or bank holidays.

9. Publicity

9.1 The application has been publicised by 27 neighbour notification letters without response.

10. Consultee responses

10.1 Planning Policy

The site is allocated for housing in the Council's current development plan and the proposed industrial development would therefore constitute a departure from this allocation. However, the site is part of a wider allocation identified for employment uses in the Council's draft development plan. On this basis, no objection is raised.

10.2 Highways

No objection following the submission of amended plans and additional information which clarifies parking and access arrangements.

10.3 Pollution Control (Air Quality)

No objection subject to the submission of a construction management plan. This can be dealt with by pre-commencement condition.

10.4 Pollution Control (Contaminated Land)

No objection subject to a standard condition which requires the reporting of any contamination, if found, during construction works.



10.5 Pollution Control (Air Pollution and Noise)

No objection subject to hours of construction being restricted to minimise noise disturbance to nearby residential properties.

10.6 West Midlands Police

No objection.

11. National Planning Policy

11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

The Framework promotes sustainable transport options for development proposal and paragraph 115 states that developments should be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

11.2 As no objection has been received from Highways, I am of the opinion that the scheme would be in accordance with paragraph 115 of the NPPF.

12. Local Planning Policy

12.1 The following policies of the Council's development plan are relevant:

ENV3: Design Quality

SAD EOS9: Urban Design Principles

SAD EMP1: Providing for Economic Growth

ENV5: Drainage

ENV8: Air Quality

SAD H1: Housing Allocations

SAD EOS 10: Design Quality & Environmental Standards



SAD DC6: Land Affected by Contamination, Ground Instability, Mining Legacy, Land of unsatisfactory Load Bearing Capacity or Other Constraints

- 12.2 ENV3, SAD EOS9 and SAD EOS 10 refer to well-designed schemes. The proposed design is typical of this sort of industrial development and is considered appropriate to the location within this predominantly industrialised location.
- 12.3 BCCS policy EMP1 aims to provide land for at least 75,000 industrial and warehouse jobs in the Black Country by 2026. For this, there needs to be a ready supply of available land at any one time. The development that would provide jobs within this sector.
- 12.4 The proposed development will have to give regard to BCCS policy ENV5 relating to the incorporation of sustainable drainage systems to assist with reducing the impact of flooding and surface water run-off. This is conditioned as such.
- 12.5 The proposed development would have to give regard to the guidance contained in BCCS policy ENV8 and the Air Quality SPD. Electric vehicle charge points are proposed and other matters such as construction management plan and low emission boilers are conditioned as such.
- 12.6 The proposed development would have to give regard to the guidance contained in SAD policy DC6. Although there is low risk of on-site contamination this would have to be reported if found during the construction has been conditioned as such.
- 12.7 The site of the proposed development is allocated for residential use, therefore SAD policy H1 is applicable. No policy concerns raised.



13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

13.5 Highways concerns

The Council's highways team has raised no objections.

14. Conclusion and planning balance

14.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the "planning balance". It is established by law that planning applications should be refused if they conflict with the development plan unless material considerations indicate otherwise. This essentially means that the positive impacts of a development should be balanced against its negative impacts.

14.2 On balance despite the application being a departure from the development plan other material considerations outweigh the allocation and there are no other significant material considerations which warrant refusal that could not be controlled by conditions.

15 Alternative Options

15.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant polices and there are no material considerations that would justify refusal.



16 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:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None.
Social Value	None.
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.

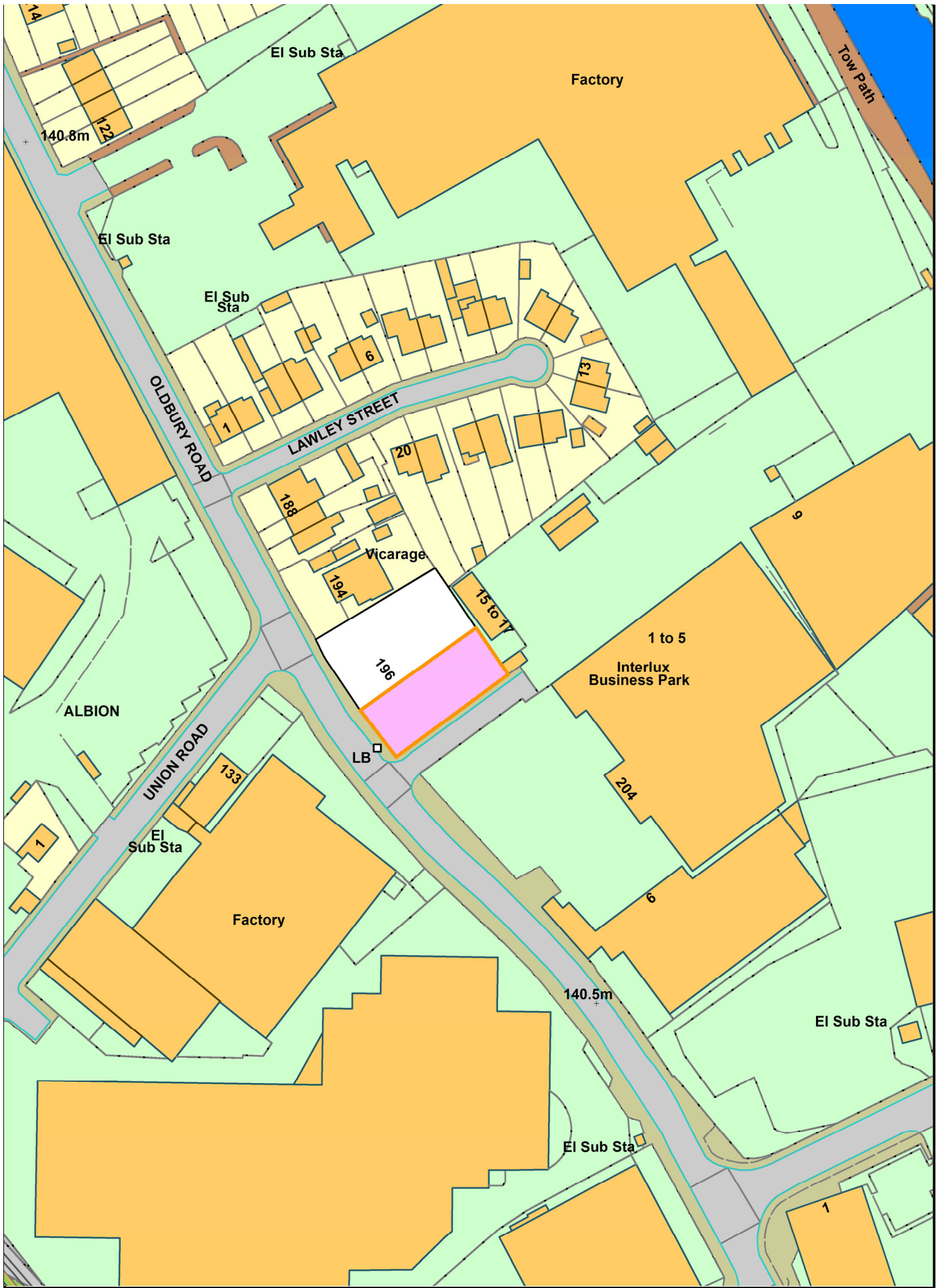
17. Appendices

Context plan

Proposed floor plan/elevation/ location/block plan B70 9DP 1 of 3 D

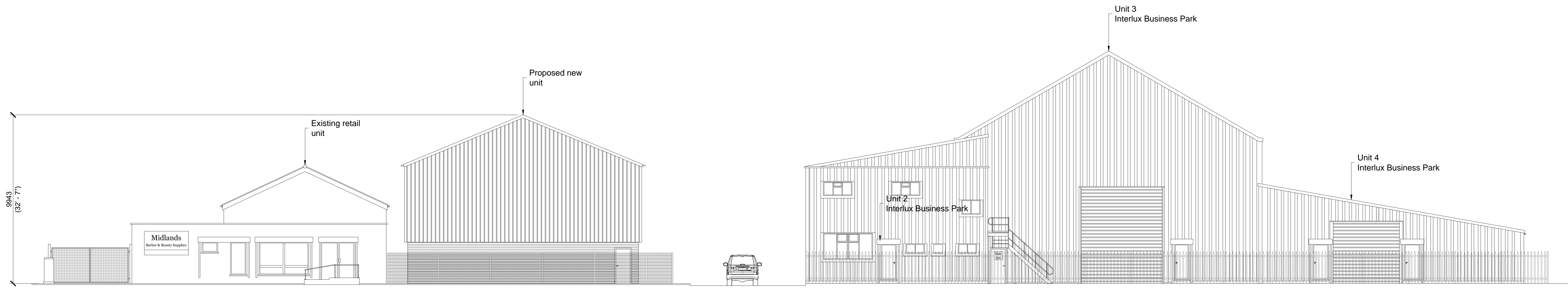
Vehicle tracking, Waste Storage & parking. B70 3 OF 3 D



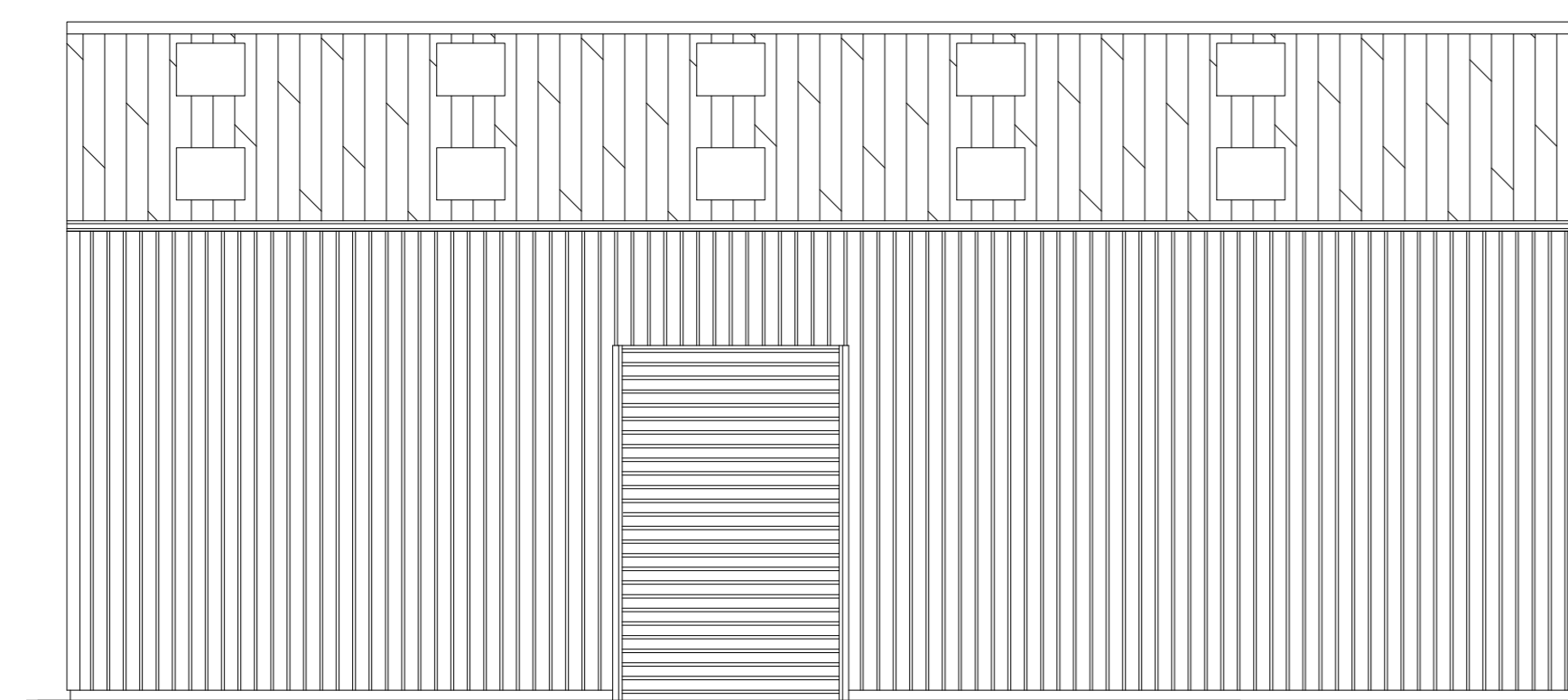


General Notes

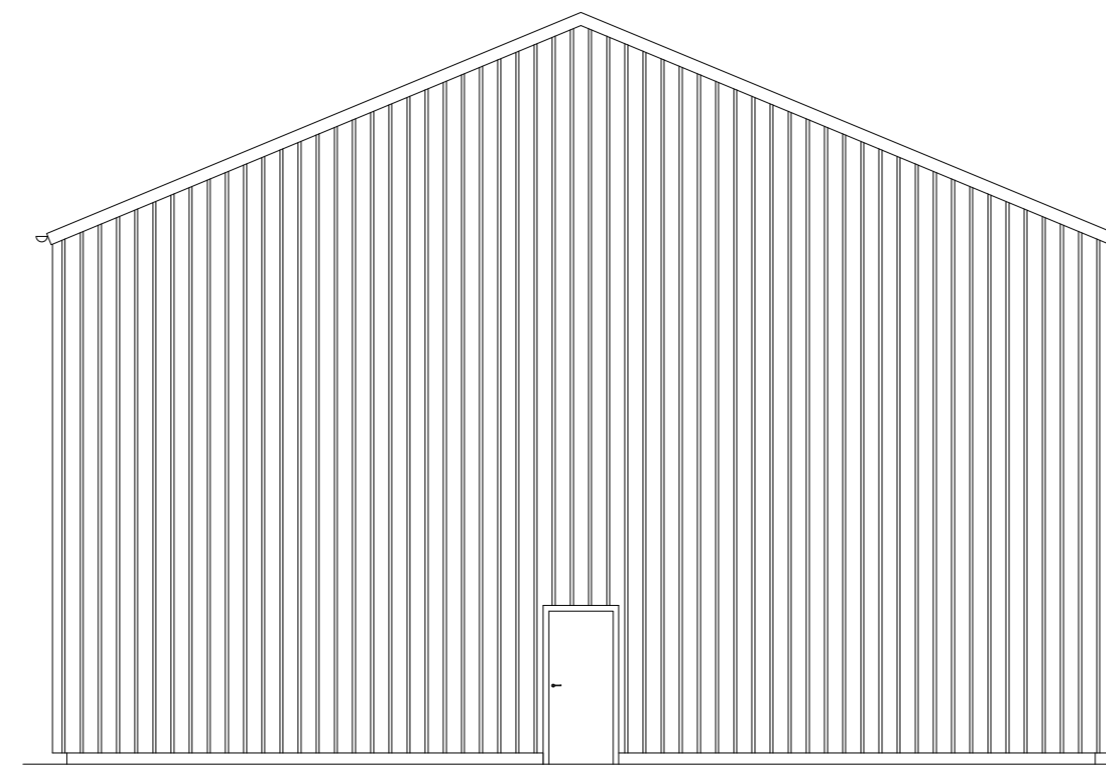
All dimensions in millimetres U.O.S.
 DO NOT Scale drawing - Use figure dimension only.
 This drawing has been produced in support of a Planning Application only.
 It should not be used for construction.
 The main elements are the footprint, overall size, appearance and position on the available plot.
BUILDING DATA
 Internal floor area = 277m² (2982 square feet)
ROOF & WALL CLADDING
 Grey trapezoidal section.
BRICKWORK
 Class B Engineering Smooth Red - unit size 215 x 102.5 x 65 below c/p.c. Red brick to 2.4 metre high.



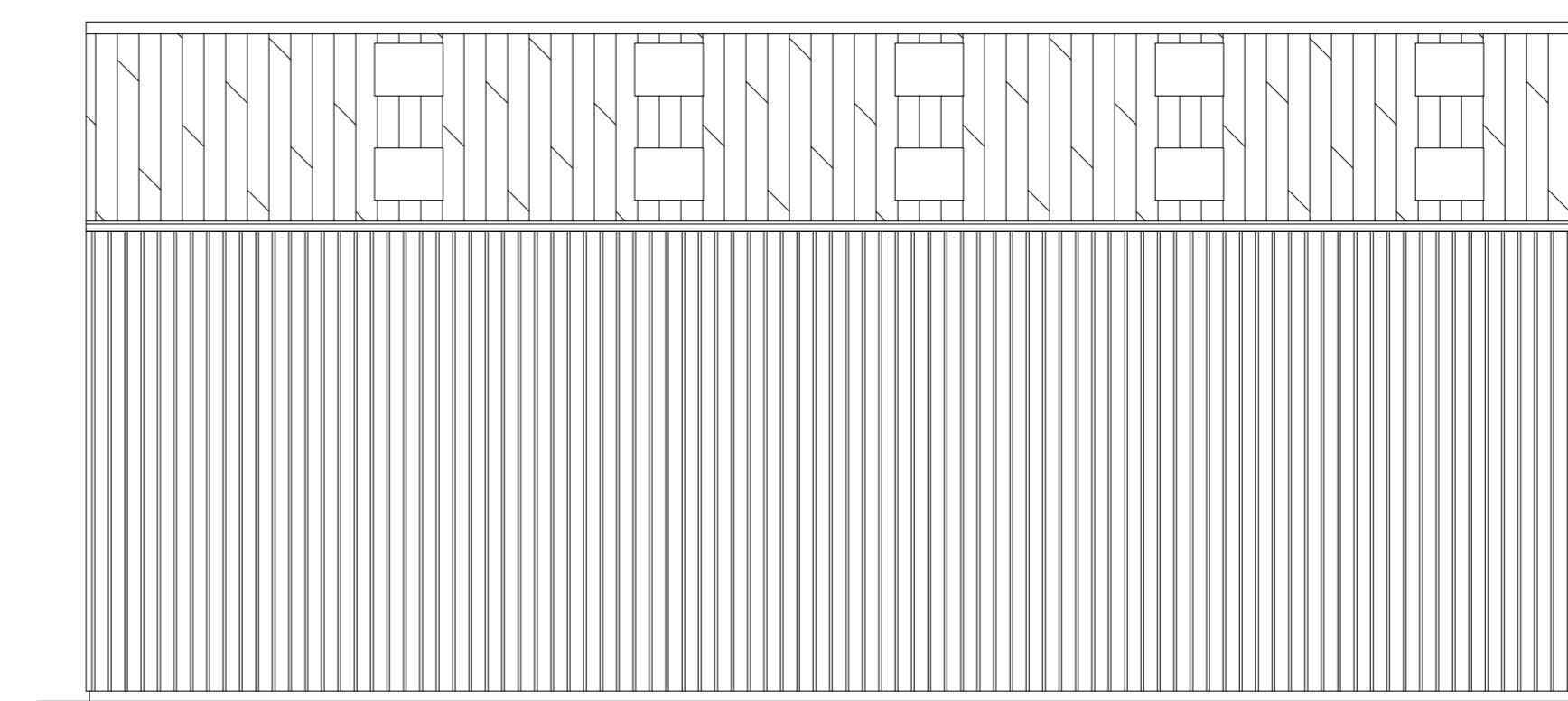
Front Elevation street scene - South West



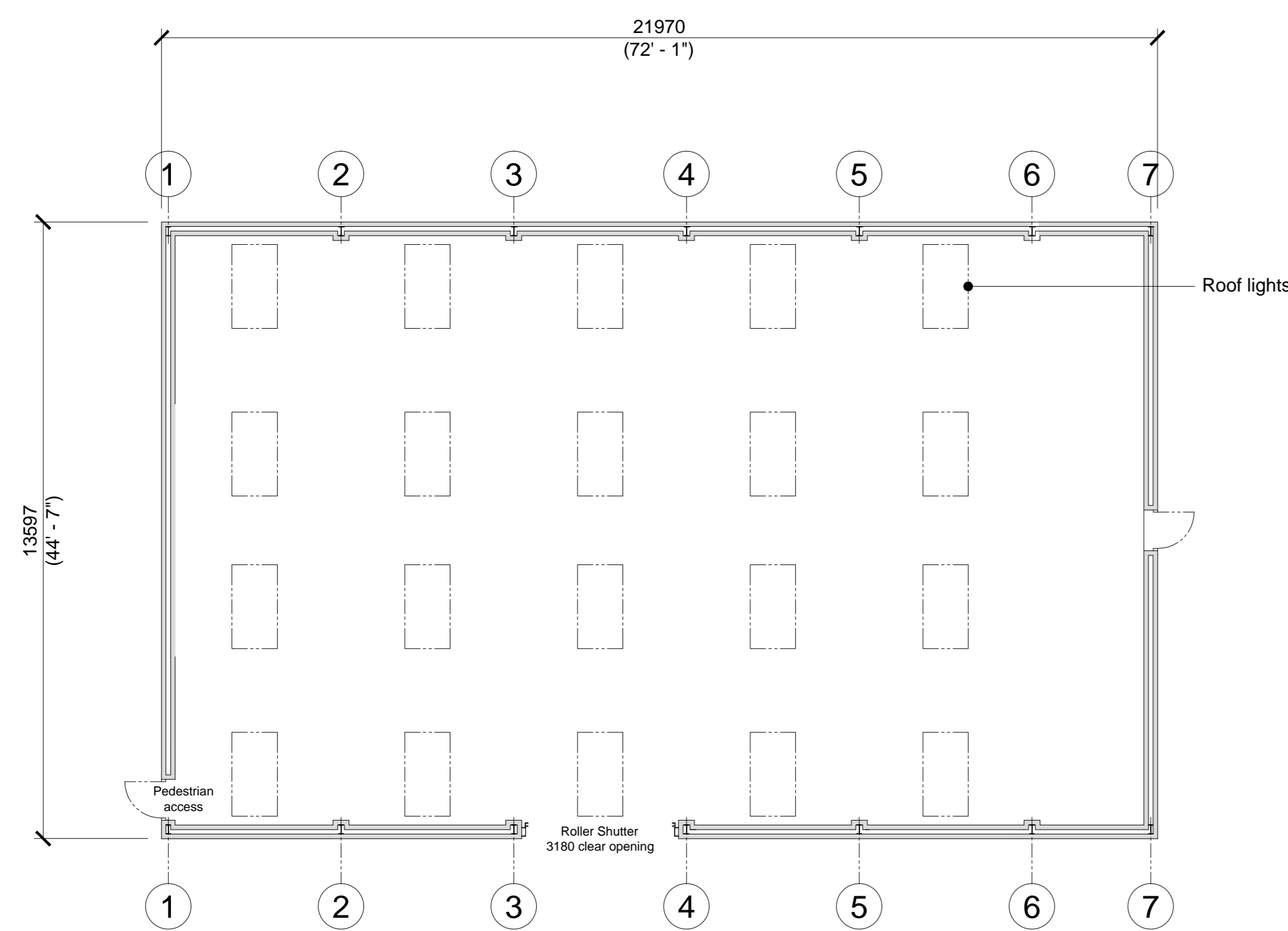
Side - South East



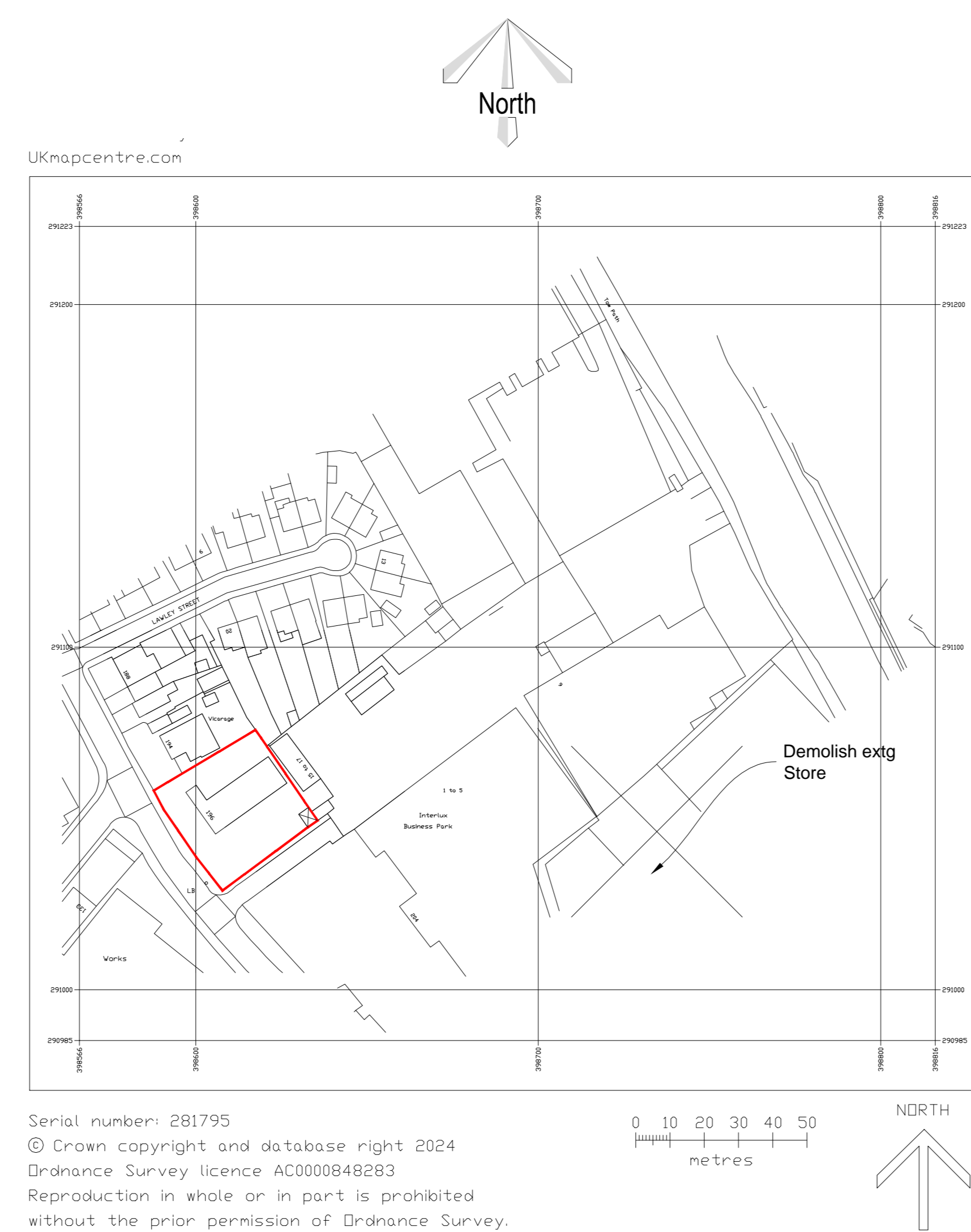
Rear - North East



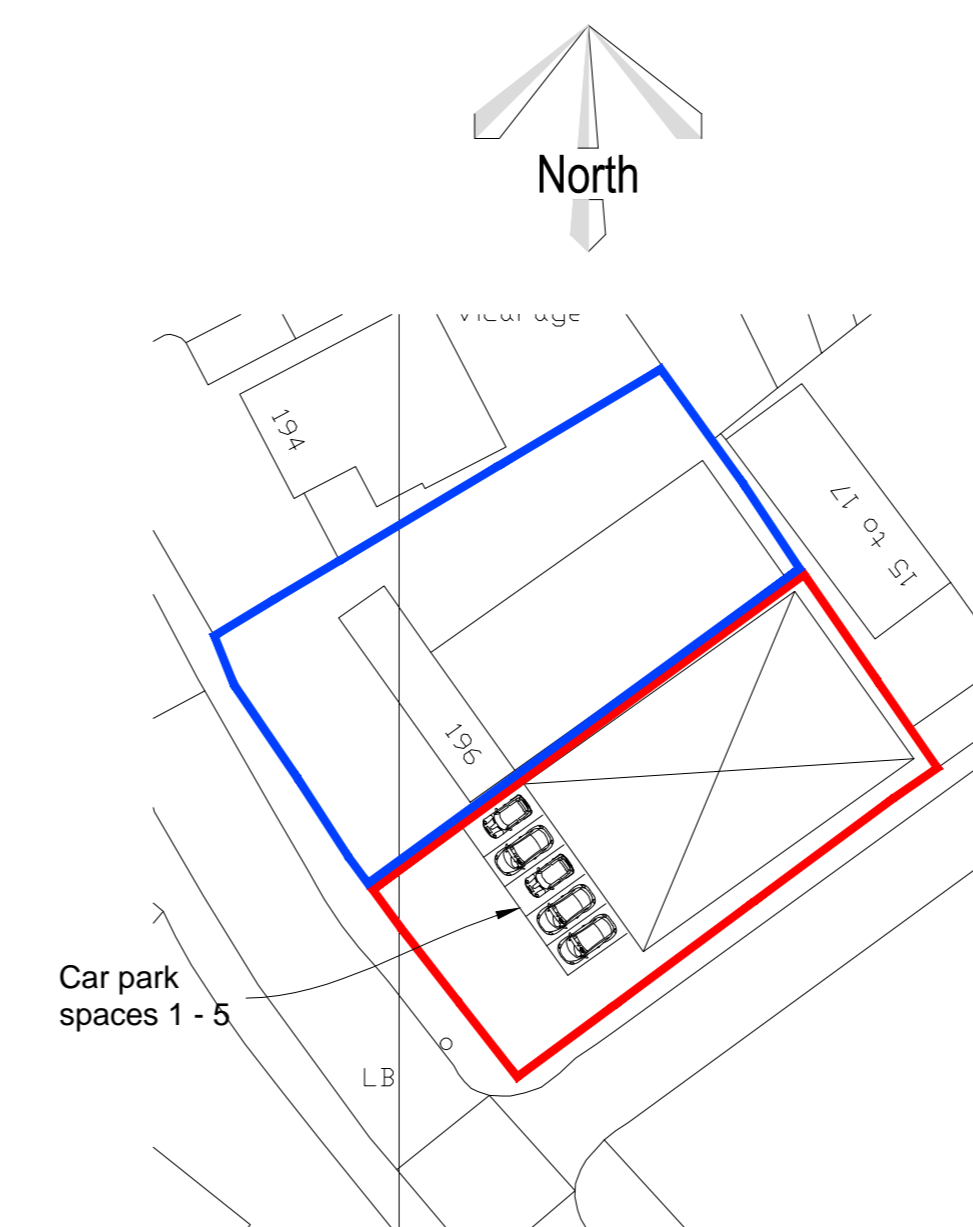
Side - North West
 No.196 removed for clarity



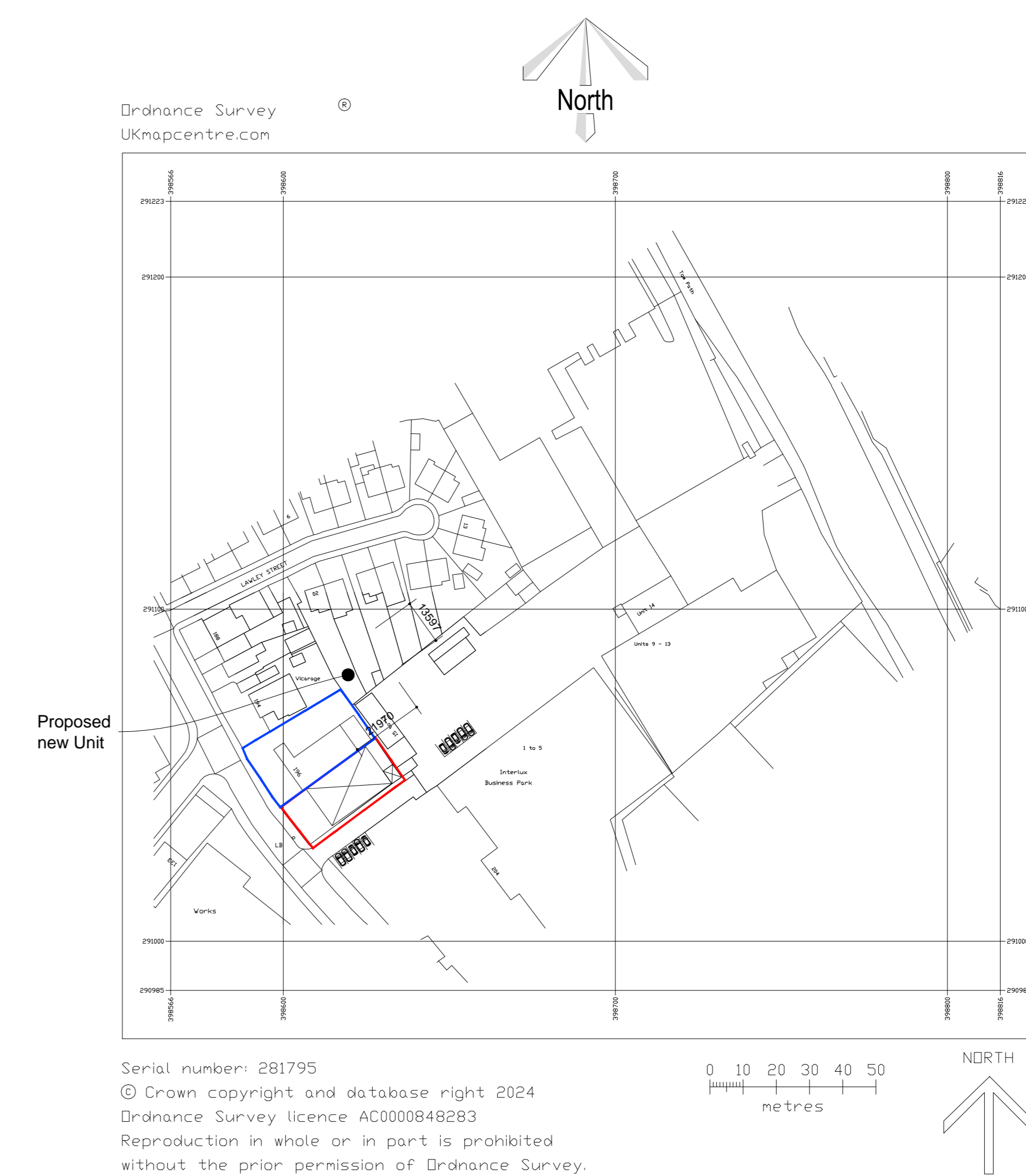
Ground Floor plan



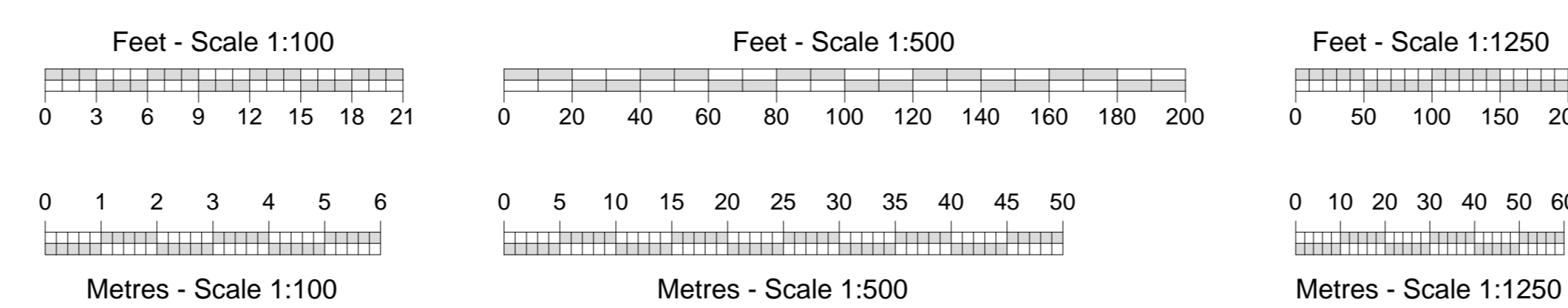
OS Map - existing
 1:1250



Block Plan
 1:500



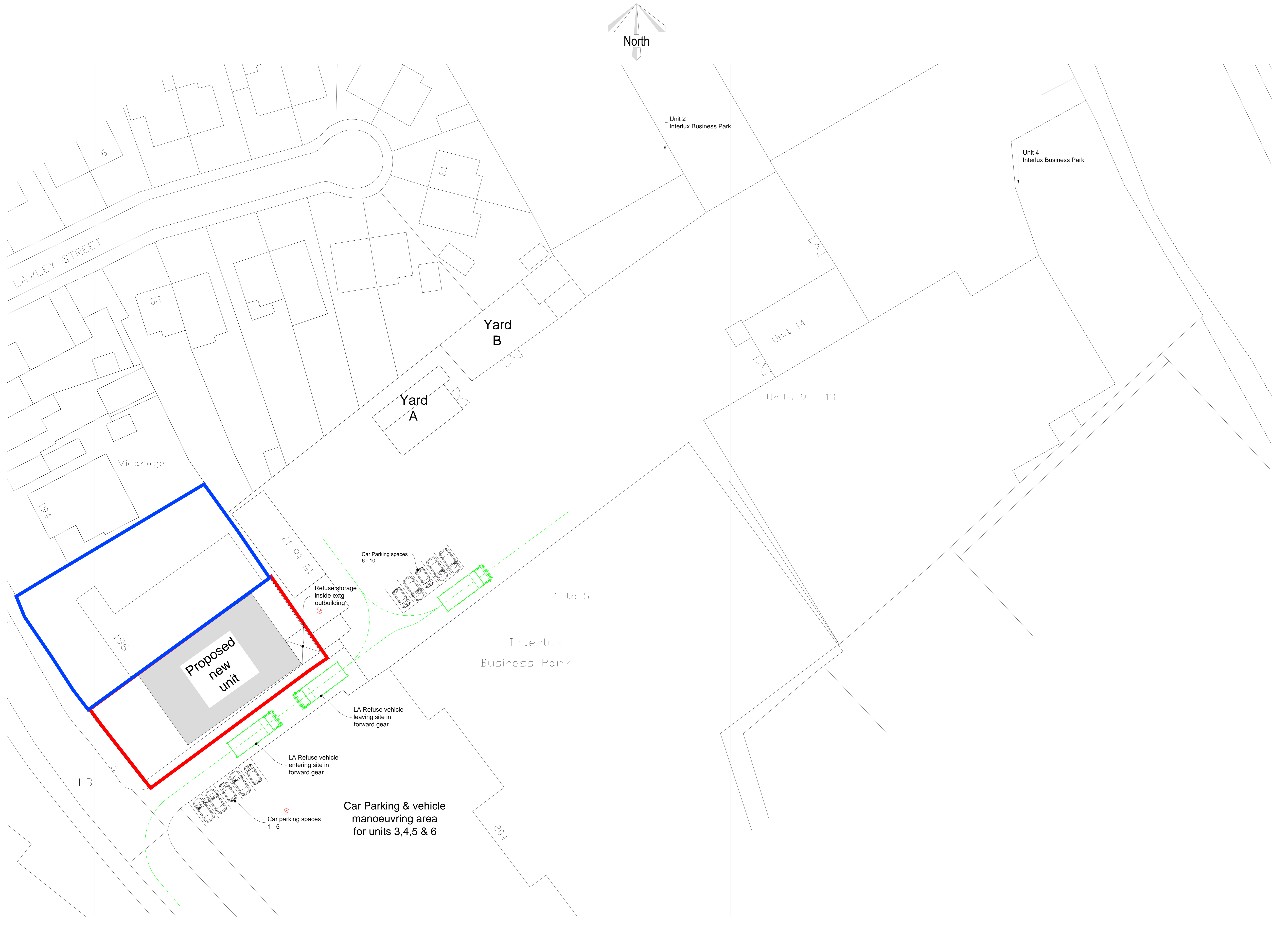
OS Map - proposed
 1:1250



Rev	Description	Date
D	Sheet 2 - Refuse storage relocated from outside adjacent to unit 1 Interflux Business Park into existing outbuilding adjacent to proposed new unit. Change requested by LA - see email dated 30 April 2024	01/05/24
C	Sheet 3 visibility splay added & car parking spaces from in front of proposed unit moved to adjacent land.	10/04/24
B	Sheet 2 & traffic survey added.	20/03/24
A	Larger area OS map incorporated. Generally revised as the request of the LA Planning department - see email dated 30 November 2023 & drawing was on paper size A1	10/01/24

Hatch Pattern & Symbols Key	

Sandwell MBC	Pre-planning application ref no.	PA/23/00699
Project Details		
Plans for the proposed construction of a new industrial unit.		
Applicant & Location		
Land adjacent to 196 Oldbury Road West Bromwich, B70 9DP		
R & A Properties Limited Unit 8 Ashmore Industrial Park, Great Bridge Street West Bromwich, B70 0BW Tel 0121 520 5318		
Sandwell Council	Ref no.	DC 23/68894
Sandwell Council Building	Regulations Application no.	N/A
Drawn by	SDA	Date 16 October 2023
Scale	1:100 U.O.S.	Orig No B70 9DP 1 of 3 Rev D



General Notes

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BUILDING DATA
 Internal floor area = 277M² (2982 square feet)

ROOF & WALL CLADDING
 Grey Trapezoidal section.

BRICKWORK
 Class B Engineering Smooth Red - unit size 215 x 102.5 x 65 below c/p.c. Red brick to 2.4 metre high.

Rev	Description	Date
D	Sheet 2 - Refuse storage relocated from outside adjacent to unit 1 Interlux Business Park into existing outbuilding adjacent to proposed new unit. Change requested by LA - see email dated 30 April 2024	01/05/24
C	Sheet 3 visibility splay added & car parking spaces from in front of proposed unit moved to adjacent land. Sheet 2 & traffic survey added.	10/04/24
B	Larger area OS map incorporated.	20/03/24
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Hatch Pattern & Symbols Key

Sandwell MBC
 Pre-planning application ref no. PA/23/00699

Project Details

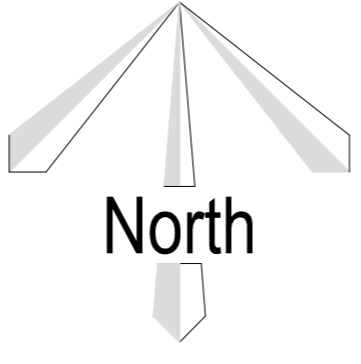
Vehicle tracking and designated Car Parking for the proposed new industrial unit.

Applicant & Location

Land adjacent to 196 Oldbury Road
 West Bromwich
 B70 9DP

R & A Properties Limited
 Unit 8 Ashmore Industrial Park,
 Great Bridge Street
 West Bromwich, B70 0BW
 Tel 0121 520 5318

Sandwell Council Ref no.	DC 23/68894
Sandwell Council Building Regulations Application no.	N/A
Drawn By	SDA
Date	16 October 2023
Scale	1:200 U.O.S.
Drawn No	B70 9DP 2 of 3 Rev D



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BRICKWORK
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Fence lines both sides of the shared access driveway drawn using dimensions taken during survey 09th April 2024. Edge of carriageway shown on OS map has been chosen as the datum.

Rev	Description	Date
D	Sheet 2 - Refuse storage relocated from outside adjacent to unit 1 Interlux Business Park into existing outbuilding adjacent to proposed new unit. Change requested by LA - see email dated 30 April 2024	01/05/24
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Hatch Pattern & Symbols Key

Sandwell MBC
 Pre-planning application ref no. PA/23/00699

Project Details
 Vehicle visibility splay associated with exit from site adjacent to proposed new industrial unit.

Applicant & Location
 Land adjacent to 196 Oldbury Road
 West Bromwich
 B70 9DP

R & A Properties Limited
 Unit 8 Ashmore Industrial Park,
 Great Bridge Street
 West Bromwich, B70 0BW
 Tel 0121 520 5318

Sandwell Council Ref no.	DC 23/68894
Sandwell Council Building Regulations Application no.	N/A
Drawn By	SDA
Date	16 October 2023
Scale	1:200 U.O.S.
Draw No	B70 9DP 3 of 3 Rev D

