

Report to Council

29 October 2024

Subject:	Proposed departure from the development plan at land adjacent 76 Brades Road, Oldbury
Director:	Alan Lunt - Executive Director - Place
Contact Officer:	Carl Mercer Principal Planning Officer carl_mercer@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to an exception to the development plan in respect of planning application DC/24/69248 - Proposed residential development (outline application with all matters reserved).

2 Reasons for Recommendations

- 2.1 The proposal is on land allocated for employment uses.

3 How does this deliver objectives of the Council Plan?

Living in Sandwell	Safe and affordable homes.
One Council One Team	Sandwell Council's ethos of 'One Council One Team' reflects a commitment to unity and Collaboration, striving for excellence in serving the community.

4 Context and Key Issues

- 4.1 Planning Committee granted conditional approval at the meeting held on 4 September 2024, which gave consideration to planning application DC/24/69248 for an outline residential development.
- 4.2 The application was publicised by neighbour notification letters, site notice and press notice without objections.
- 4.3 Planning Committee members approved the application on 4 September, and the application is now before Council to consider the departure from the development plan before planning permission can be granted.
- 4.4 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 Planning Committee.
- 4.5 The application has been publicised by neighbour notification letters, and site and press notice. The council's highways, planning policy, and pollution control teams have also been consulted on the proposal. The planning officer recommended approval on the basis that the area of employment land which would be lost to housing would be modest and the land has been out of use for many years. Additionally, Brades Road has many residential uses evident within proximity of the site, so the proposal is not uncharacteristic of the area.

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:	The granting of exceptions to the development plan would not have any implications for the resources of the council.
Legal and Governance:	Planning Committee has delegated powers to determine planning applications within current council policy. The decision to grant permission for this proposal would be contrary the development plan. Consequently, Planning Committee has referred the application to Council to consider whether or not an exception to the development plan should be granted.
Risk:	None relevant.
Equality:	None relevant.
Health and Wellbeing:	None relevant.
Social Value	None relevant.
Climate Change	None relevant.
Corporate Parenting	None relevant.

7. Appendices

7.1 None.

8. Background Papers

8.1 Planning application reference – DC/24/69248