

Council/Committee:	Council
Report Title	Proposed Departure from the Development Plan at Units G & H, corner of Hobart Road and Batmans Hill Road, Bilston
Date of Meeting	22 July 2025
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Lead Officer	Alan Lunt Executive Director, Place
Wards Affected	N/A
Appendices	N/A

1. Executive Summary

- 1.1 Planning Committee granted conditional approval at the meeting held on 2nd April 2025, which gave consideration to planning application DC/ 24/70051 for a proposed storage Unit (Class B8).
- 1.2 The application is now before Council to consider the departure from the development plan before conditional planning permission can be granted
- 1.3 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

2. Recommendations

Council is recommended to:-

- 2.1 Approve an exception to the Development Plan in respect of planning application ref: DC/24/70051, construction of a Proposed storage Unit (Class B8), at Units G & H, corner of Hobart Road and Batmans Hill Road, Bilston.

3. Proposals – Reasons for the recommendations

- 3.1 The site is allocated for residential development; however the allocated land remains in employment use, and it is acknowledged that residential

development is unlikely to come forward in the short or medium term and the principle of constructing a new storage unit is acceptable despite the policy conflict. The proposal site is within the curtilage of an existing commercial building in an area that currently operates as a servicing yard.

4. Alternative Options Considered

- 4.1 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.

5. Consultation

- 5.1 The application was publicised by neighbour notification letters, site notice and press notice objections were received referring to concerns about loss of light to a property located on Steven Drive and noise and general waste left on site.
- 5.2 The council's Planning Policy, Highways and Public Health have also been consulted on the proposal and have raised no objections subject to relevant conditions. The Coal Authority was also consulted and raised no objections. The planning officer recommended approval on the basis that the proposal would create jobs and bring investment into the local area.

6. Financial Implications

- 6.1 There are no financial implications arising directly from this report.

7. Legal and Governance Implications

- 7.1 The development has been considered in accordance with the Town and Country Planning Act 1990 and 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 an exception to the development plan should be granted.

8. Risks

- 8.1 There are no direct risks arising from this report.

9. Equality and Diversity Implications (including the public sector equality duty)

- 9.1 There are no direct equality implications arising from this report.

10. Other Relevant Implications

- 10.1 No other relevant implications arising from this report.

11. Background Documents

11.1 Planning application reference – DC/24/70051

12. How does this deliver the objectives of the Strategic Themes?

12.1 The Sandwell Local Plan serves as the blueprint for future development, guiding housing and employment growth while ensuring new infrastructure investments like transport and schools. It aims to encourage a positive environment where businesses and our community and voluntary organisations are supported to grow; and investment into the borough is maximised, creating job opportunities for local residents.