

# Report to Council

**7 December 2021**

<b>Subject:</b>	Proposed departure from the Development Plan at land to the rear Bakshish House, Rood End Road, Oldbury, B69 4HT - Proposed 1 No. industrial unit, two storey office block and ground floor showroom with associated access, parking and landscaping
<b>Director:</b>	Tony McGovern - Director of Regeneration & Growth - Neighbourhoods
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## 1 Recommendations

- 1.1 Allow an exception to the local development plan in respect of planning application DC/21/65491 - Proposed 1 No. industrial unit, two storey office block and ground floor showroom with associated access, parking and landscaping at land to the rear of Bakshish House, Rood End Road, Oldbury.

## 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, Planning Policy have confirmed they are not aware of any plans for a residential scheme in this location. Further to this, for a residential use to be acceptable, a comprehensive redevelopment would be required. It is for these reasons, that an industrial use in this location would be acceptable in policy terms. The proposed development is acceptable in its scale, design and appearance, and would not cause significant harm to the amenity of the occupiers of adjacent properties. Furthermore, there would be no significant impact to the safety and convenience of users of the highway as a result of the proposed development.

### 3 How does this deliver objectives of the Corporate Plan?



A strong and inclusive economy – the proposal would create jobs within the local area.

### 4 Context and Key Issues

- 4.1 At the meeting of Planning Committee held on the 10<sup>th</sup> November 2021 consideration was given to planning application DC/21/65491 for a proposed 1 No. industrial unit, two storey office block and ground floor showroom with associated access, parking and landscaping.
- 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 three 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, Transportation Planning, Urban Design, Public Health (noise, contaminated land and air quality) have been consulted as well as the Canal and River Trust, Severn Trent and Lead Local Flood Authority. 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

<b>Resources:</b>	The granting of exceptions to the Development Plan would not have any implications for the resources of the Council.
<b>Legal and Governance:</b>	The 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, the Committee has referred the application to the Council to consider whether or not an exception to the development plan should be granted.
<b>Risk:</b>	None Relevant.
<b>Equality:</b>	None Relevant.
<b>Health and Wellbeing:</b>	None Relevant.
<b>Social Value</b>	The proposal would create jobs and apprentices during the construction phase.

## 7. Appendices

Planning application reference – DC/21/65491 - Proposed 1 No. industrial unit, two storey office block and ground floor showroom with associated access, parking and landscaping.

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