

Report to Planning Committee

25th October 2023

Application Reference	DC/23/68467
Application Received	13 July 2023
Application Description	Proposed 2 No. portal framed buildings to house 7 No. small units for general industrial/storage and distribution use with associated vehicle access, substation, sliding front gates, parking and covered cycle shelter.
Application Address	West Midlands Foundry Co Limited, Blakemore Road, West Bromwich, B70 8JF
Applicant	West Midlands Foundry Co Limited
Ward	Greets Green and Lyng
Contact Officer	William Stevens William_stevens@sandwell.gov.uk

1 Recommendations

1.1 Subject to referral to Full Council as departure from the development plan, that planning permission is granted subject to conditions relating to:

- i) External materials;
- ii) Secure cycle shelter;
- iii) Electric vehicle charging points;
- iv) Details of front sliding gates;
- v) Levels;
- vi) Substation details;



- vii) Construction and environmental management plan;
- viii) Ground investigation/remediation works;
- ix) Foundation design detail adjacent the canal;
- x) Landscaping facing the canal frontage, and site hard surface; details; and
- xi) Apprentice training in construction,

2 Reasons for Recommendations

- 2.1 The proposed development is of satisfactory design and would bring further employment into Sandwell.

3 How does this deliver objectives of the Corporate Plan?

	<p>A strong and inclusive economy in that the proposal would welcome new employment opportunities into the Borough.</p>
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4 Context

- 4.1 The application is being reported to your committee as it is a departure from the current local plan which is allocated for residential. However, on the emerging Sandwell Development Plan, the site will be recommended to remain as industrial land, and therefore would not be a departure in years to come.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Blackmore Road, West Bromwich - Street View](#)

[Blackmore Road, West Bromwich, Aerial View](#)

5 Key Considerations

- 5.1 The site is currently allocated for residential use in the Development Plan.



5.2 Material planning considerations 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 these considerations indicate otherwise. This means that when enough weight in favour of a development can be attached to material planning considerations, then 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
- Planning history (including appeal decisions)

6. The Application Site

6.1 The application site is situated on the western side of a horse shoe style road with factories to the east fronting Brandon Way, West Bromwich and a canal lies to the west.

6.2 The area is predominately industrial in nature.

7. Planning History

7.1 A similar proposal was approved by Planning Committee in 2006 for a similar development on the same site under reference DC/06/46553 however this was never built.

7.2 Relevant planning applications are as follows:

DC/06/46553	Proposed two portal framed buildings to house eight small industrial units.	Granted Permission 20 th September 2006
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8. Application Details

- 8.1 The applicant proposes to erect two portal framed buildings to house seven small units for general industrial/storage and distribution use with associated vehicle access, substation, sliding front gates, parking and covered cycle shelter.

9. Publicity

- 9.1 The application has been publicised by neighbour notification letters and by site and press notices without comment.

10. Consultee responses

10.1 Planning Policy

No residential development has come forward within the allocation during the plan period and the wider area remains in employment use. The principle of accepting employment proposals on a residential allocation has been accepted nearby on the residential allocation to the north under planning permission DC/21/66365 granted July 2022 and on the same site in 2006 (see point 7.1).

The site was allocated for local quality employment land within the draft Black Country Plan. Work on the draft Black Country Plan has been abandoned and Sandwell has commenced preparation on a new Local Plan for the borough, however, some of the evidence base for the Black County Plan is being used to inform the preparation of the Local Plan and the site is likely to be proposed as local employment land again.

Therefore, planning policy have no objections to the granting of permission.



10.2 Highways

No objections. Off-street parking is sufficient and vehicle tracking confirms that service/delivery vehicles can access the site.

10.3 Pollution Control (Contaminated Land)

No objections subject to the standard ground contaminated/remediation conditions being applied to any approval.

10.4 Pollution Control (Air Pollution and Noise)

No objections subject to a construction and environmental management plan being submitted before development commences.

10.5 West Midlands Police

Comments have been provided on how to make the site secure. The applicant is advised to review these comments and where necessary provide site security.

10.6 Health and Safety Executive

Does not advise against the granting of planning permission on safety grounds.

10.7 Canal and Rivers Trust

Require additional information to protect their water course which can be conditioned accordingly. This relates to foundation details, construction management plan, ground investigation works etc.



11. National Planning Policy

- 11.1 National Planning Policy Framework (NPPF) promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.
- 11.2 The Framework promotes sustainable transport options for development proposal and paragraph 111 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. However, see point 10.2, no objections from highways has been received, therefore the development accords with paragraph 111 of the NPPF.

12. Local Planning Policy

- 12.1 The following policies of the council's Development Plan are relevant:

CSP1: The Growth Network

CSP3: Environmental Infrastructure

DEL2: Managing the Balance between Employment Land and housing

EMP1: Providing for Economic Growth

EMP4: Maintaining a Supply of Readily Available Employment Land

TRAN2: Managing Transport Impacts of New Development

TRAN4: Creating Coherent Networks for Cycling and Walking

ENV1: Nature Conservation

ENV3: Design Quality

ENV4: Canals

ENV5: Flood Risk, SUDS and Urban Heat Island

ENV7: Renewable Energy

ENV8: Air Quality

SAD EMP2: Training and Recruitment

SAD EOS9: Urban Design Principles

SAD DC2: Zones around Hazardous Installations

SAD DC3: New Development and Hazardous substances



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

- 12.2 DEL 1 refers to managing the balance between employment land and housing. The site is allocated for residential in the Development Plan. No residential development has come forward within the allocation during the plan period and the wider area remains in employment use. The principle of accepting employment proposals on a residential allocation has been accepted nearby on the residential allocation to the north under planning permission DC/21/66365 granted July 2022 and in 2006 on the same site as this application. The site was allocated for local quality employment land within the draft Black Country Plan. Work on the draft Black Country Plan has been abandoned and Sandwell has commenced preparation on a new Local Plan for the borough, however, some of the evidence base for the Black County Plan is being used to inform the preparation of the Local Plan and the site is likely to be proposed as local employment land again.
- 12.3 ENV3 and SAD EOS9 refers to well-designed schemes that provide quality working environments.
- 12.4 The proposal would contribute to the jobs and land target set out in policy EMP1 and EMP4.
- 12.5 The site is adjacent to the mainline canal which is a Wildlife Corridor. Policies ENV1 and ENV4 seeks to safeguard nature conservation and improve wildlife movement. The applicant should consider the incorporation of new planting along the boundary with the canal and as such conditioned accordingly.
- 12.6 Policy ENV5 applies and the applicant should look to incorporate sustainable drainage features, such as the incorporation of permeable hard surfaces and increased soft landscaping and tree cover. Again, this can be conditioned. Policy ENV8 refers to air quality mitigation (electric vehicle charging), which is conditioned as such.



- 12.7 The application form states that 905sqm total internal floorspace would be created by the proposals. This is below the 1,000sqm threshold which applies to policy ENV7 (renewable energy).
- 12.8 TRAN2 and TRAN4 relate to providing suitable infrastructure associated with the development which includes road, pedestrian and cycle provision. The design is acceptable, and conditions are recommended to secure cycle parking.
- 12.8 Policy BCCS EMP5 and SAD EMP2 seeks to secure training and recruitment opportunities for local people as part of development proposals for employment generating use and is conditioned.
- 12.9 SAD DC2, DC3 and DC6 refer to land contamination and hazardous substances, no objections are raised, and suitable conditions can be imposed in relation to mitigation of land contamination.

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, this is highlighted below:

13.2 Planning history

Planning permission was granted for a similar proposal back in 2006. There has been no significant policy change since that date that would alter the recommendation.

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, 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

Location plan

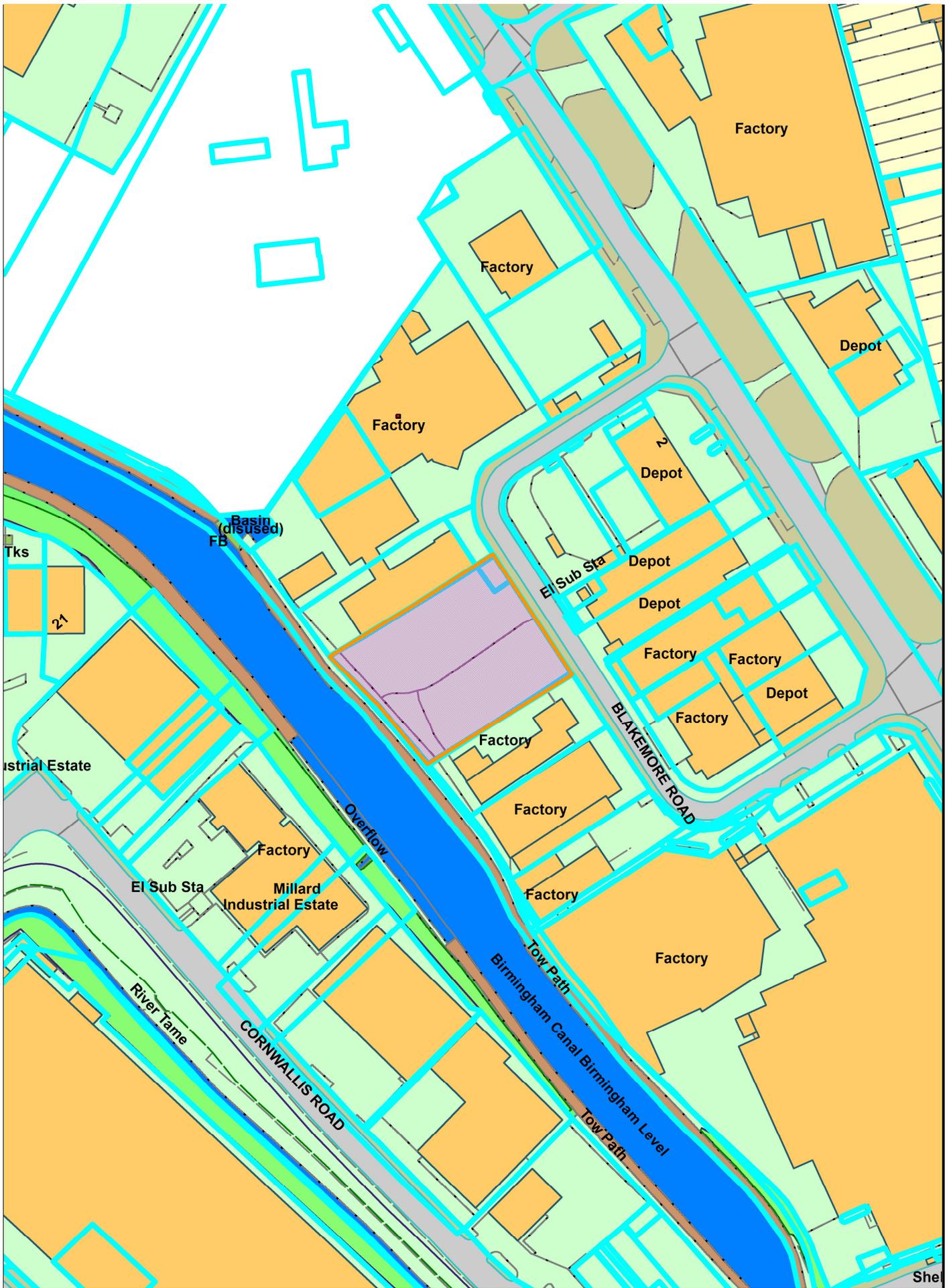
Proposed floor and elevation plan: 1278-01 Rev A

Proposed floor and elevation plan: 1278-05

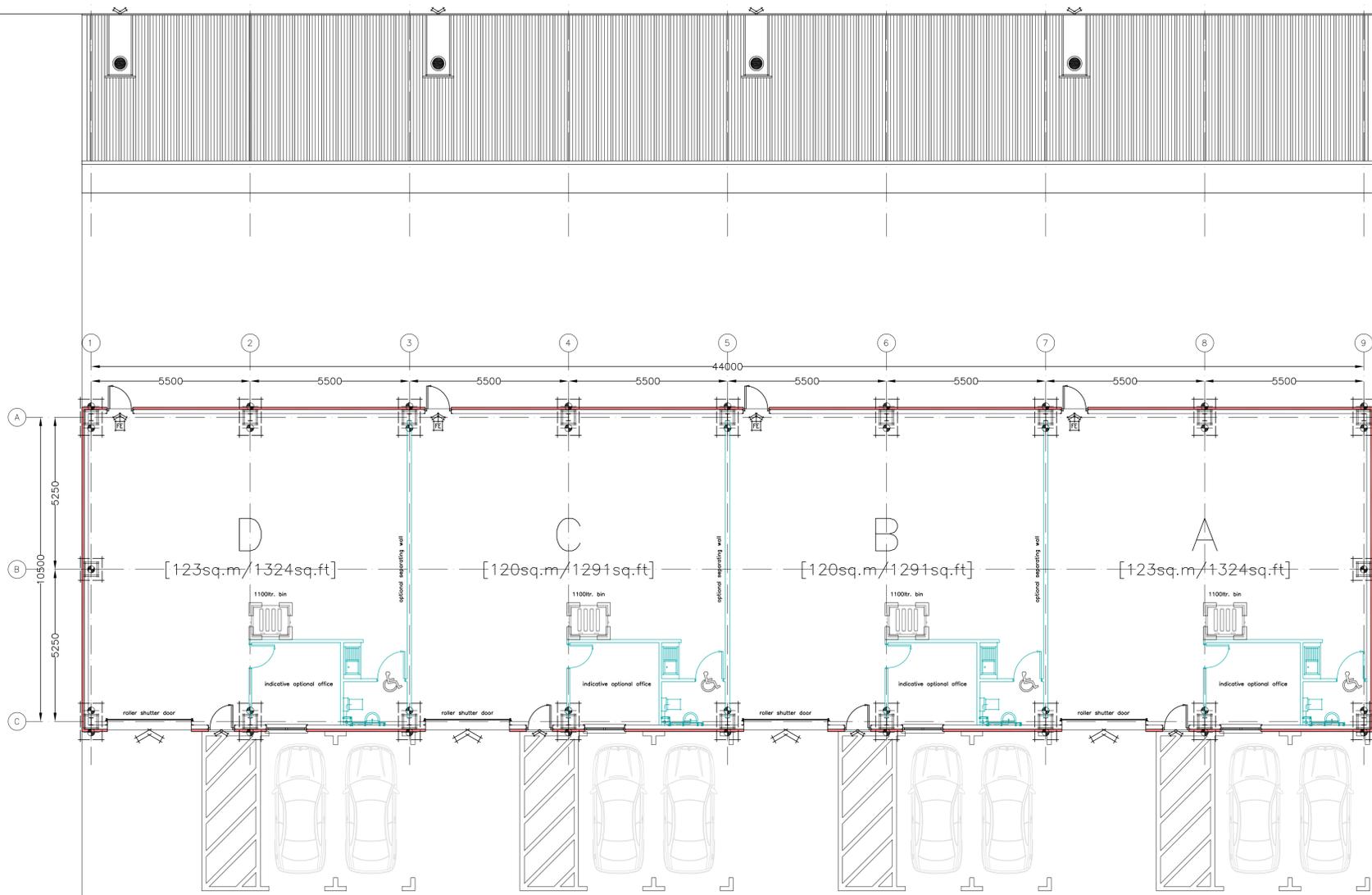
Street Scene plan: 1278-04

Proposed Site Layout: 1278-02 Rev B

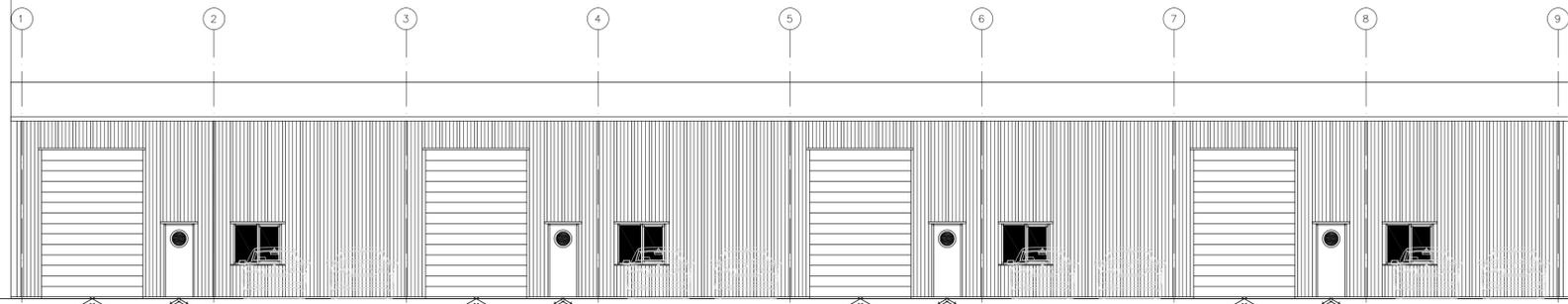




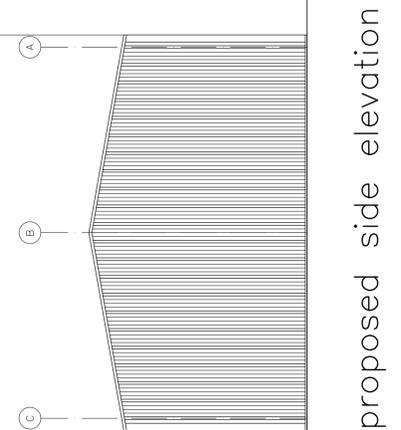
proposed rear elevation



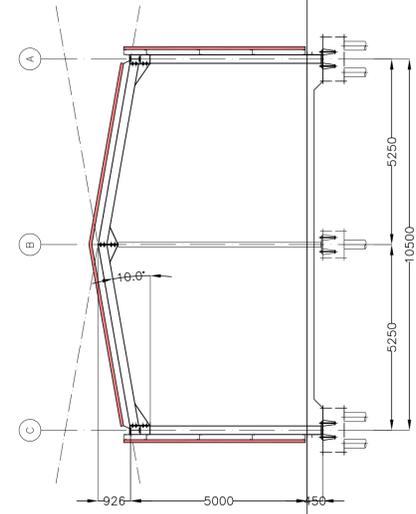
proposed floor plan



proposed front elevation



proposed side elevation



REVISIONS

REVA	14.04.23	UNITS E, F, G & H OMITTED
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HOMEWOOD
 S M ARCHITECTURAL LIMITED
 T/A/S HOMEWOOD DESIGN
 THE COACH HOUSE
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 TAMWORTH
 STAFFORDSHIRE
 B78 3PE
 T : 01827 389898
 E : INFO@HOMEWOODDESIGN.CO.UK
 W : WWW.HOMEWOODDESIGN.COM

CLIENT:
WEST MIDLANDS FOUNDRY CO.LTD.

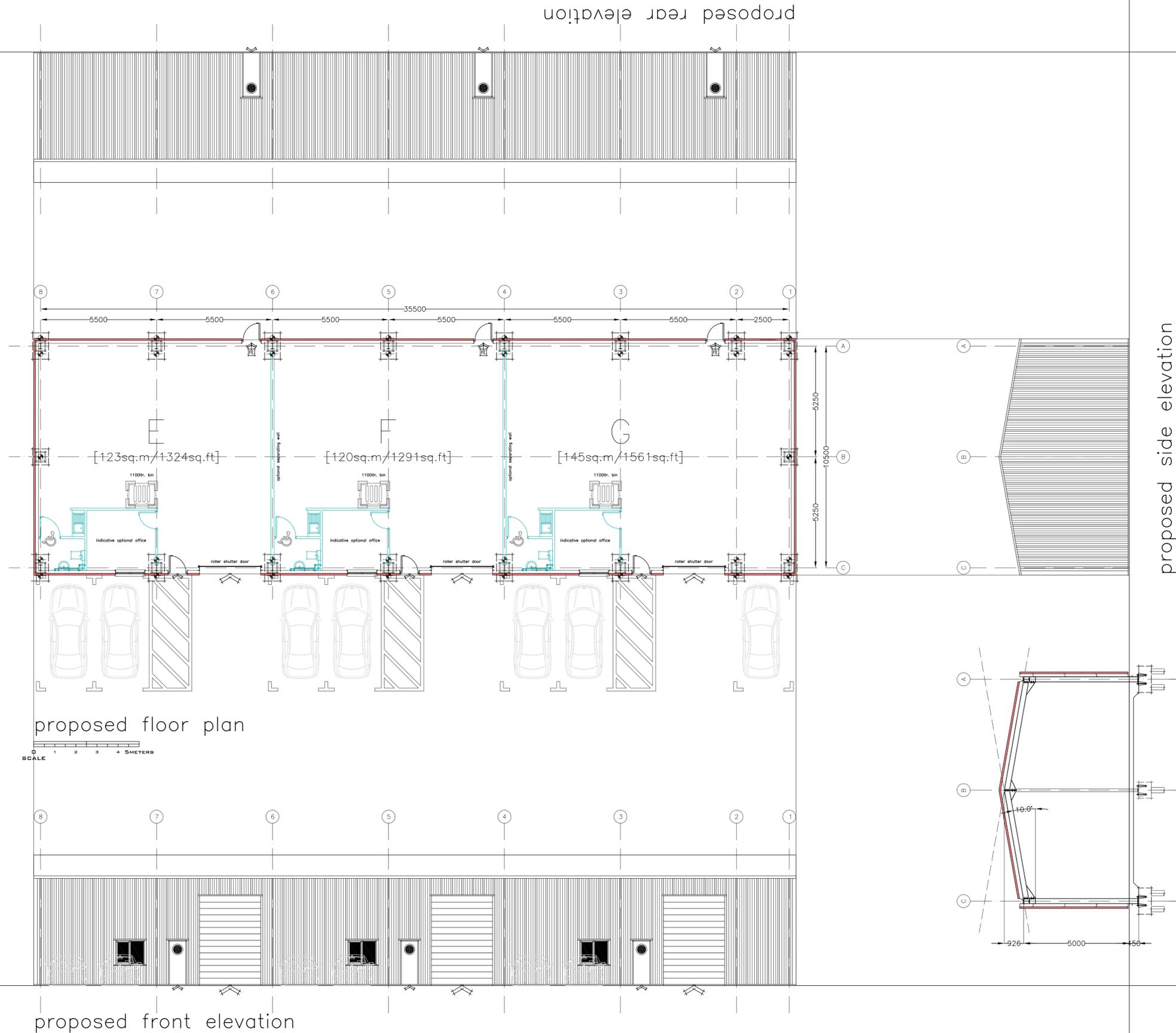
PROJECT:
**INDUSTRIAL DEVELOPMENT
 BLAKEMORE ROAD
 WEST BROMWICH**

DRAWING TITLE:
**PROPOSED PLANS &
 ELEVATIONS 1 OF 2**

PLANNING DRAWING

SCALE 1:100@A1	CHECKED
DATE SEPT.2022	DRAWN BY EC

DWG.NO 1278	REV. A
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REVISIONS

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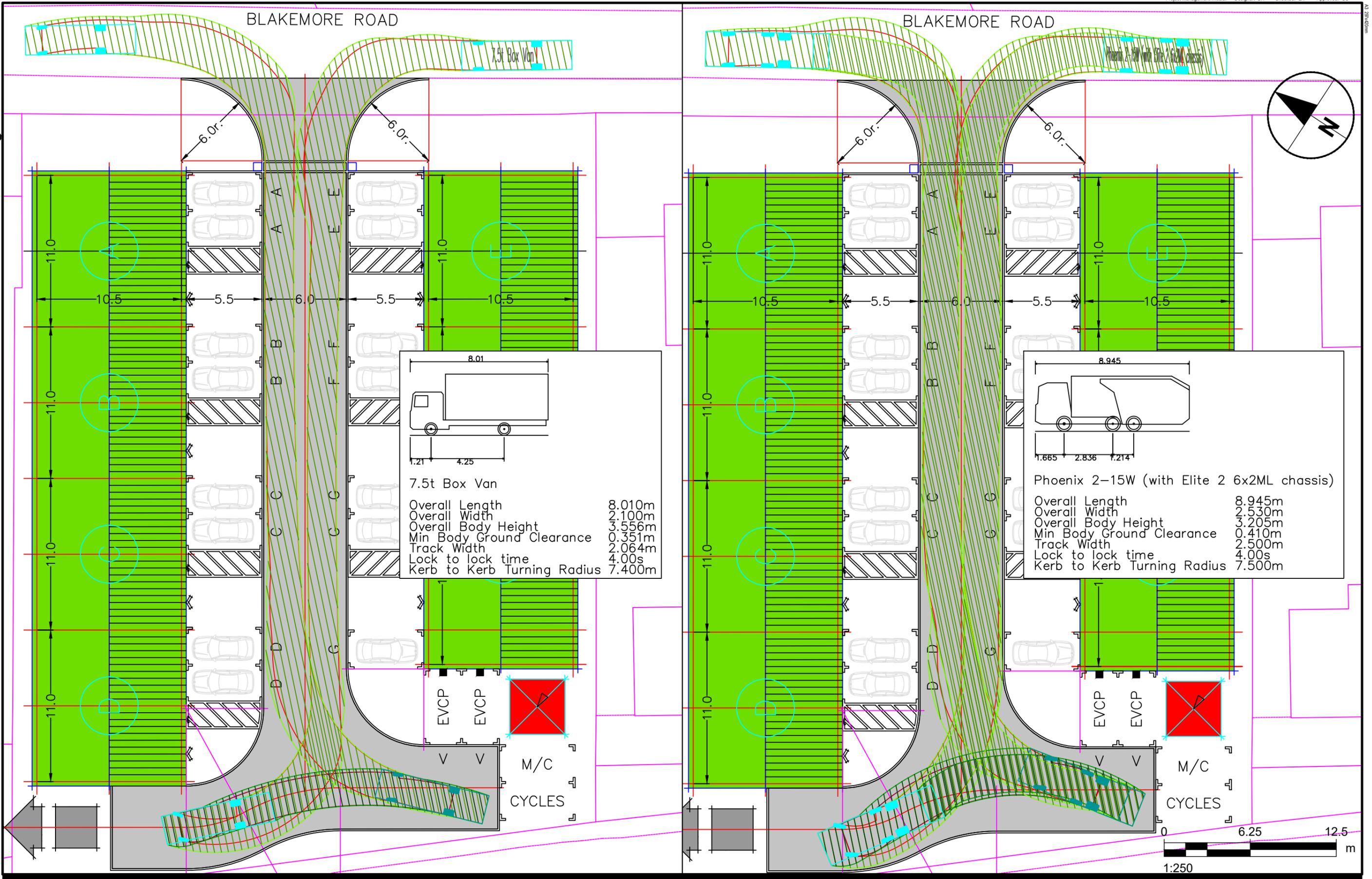
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 WEST BROMWICH**

DRAWING TITLE:
**PROPOSED PLANS &
 ELEVATIONS 2 OF 2**

PLANNING DRAWING

SCALE 1:100@A1	CHECKED
DATE SEPT.2022	DRAWN BY EC

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INDUSTRIAL DEVELOPMENT BLAKEMORE ROAD WEST BROMWICH

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TRACKING ACCESS



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