

Sandwell Metropolitan Borough Council

12 April 2016

**Proposals to Depart from the Local Development Plan at
Unit 1, Churchbridge, Oldbury, B69 2AP**

1. Summary Statement

- 1.1 At the meeting of the Planning Committee held on 16 March 2016, consideration was given to planning application DC/15/58775 which sought approval for the proposed change of use to leisure arena incorporating trampolining, party rooms, café, external alterations and associated parking at Unit 1, Churchbridge, Oldbury, B69 2AP.
- 1.2 At the meeting, the Committee approved the planning permission with conditions recommended by the Director - Regeneration and Economy; and to the application being referred to the Council as a departure from the Site Allocations and Delivery Development Planning Document.
- 1.3 The site is currently allocated as Potential Strategic High Quality Employment Land in the Black Country Joint Core Strategy. It is necessary for the Council to consider whether or not to grant an exception to its policy to allow the application to proceed.

Further details are attached for your information

2. Recommendation

- 2.1 That an exception to the Black Country Joint Core Strategy and local development plan be allowed in respect of planning application DC/15/58775 (proposed change of use to leisure arena incorporating trampolining, party rooms, café, external alterations and associated parking at Unit 1, Churchbridge, Oldbury, B69 2AP).

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3. Strategic Resources Implications

The granting of exceptions to the Black Country Joint Core Strategy and Sandwell Allocations Delivery and Development Plan Document would not have any implications for the resources of the Council.

4. Legal and Statutory Implications

- 4.1 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 to the Black Country Joint Core Strategy and the Sandwell Allocations Delivery and Development Plan Document. Consequently, the Committee has referred the application to the Council to consider whether or not an exception to the Development Plans should be granted.

5. Implications for the Council's Scorecard Priorities

- 5.1 Implications contained within this report support the following Council's corporate priority for improvement:
- Great Place.

6. Background Details

- 6.1 This planning application relates to the proposed change of use to leisure arena incorporating trampolining, party rooms, café, external alterations and associated parking at Unit 1, Churchbridge, Oldbury, B69 2AP.
- 6.2 The application site is situated to the east of Churchbridge approximately 350m from Oldbury Town Centre to the north. The application relates to an industrial unit that is currently vacant and has a floor area of approximately 2750 sqm. The applicant proposes to change the use of the building to a trampolining centre with associated party rooms and a cafe. Vehicular access would be provided to either side of the industrial unit via a shared access with three existing industrial business to the rear of the application site. 53 spaces parking for customers to the rear of the unit and a further 22 spaces for staff parking to the south of the building which forms part of a shared access, would be provided.

- 6.3 Strategic Policy stated that the site was allocation for High Quality Employment Areas (EMP2) and that in accordance with the provisions of the NPPF paragraph 24, leisure uses should be located within town centres or edge of centre and hence a sequential test was required along with evidence of marketing for the application site.
- 6.4 The applicant provided a sequential test to demonstrate that no suitable sites are available in West Bromwich or the committed development site known as the Junction on West Bromwich Street/Fountain Lane/Bromford Road along with evidence of marketing given that the proposal is contrary to the employment land allocation. The sequential test and marketing information confirms that no other sites are immediately available within the preferred locations and that the site has been marketed for 18 months without success.
- 6.5 The proposal would be a departure of the Council's adopted development plan: in the Black Country Joint Core Strategy the site is within a wider area designated as "Potential Strategic High Quality Employment Land". Paragraph 11 and 196 of the adopted National Planning Policy Framework states: "Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise."

The Council's Planning Policy Team continue to object to the application on the grounds that the proposal is contrary to the Council's adopted Local Plan and that the application site has not been marketed for a significant period to provide an opportunity for a use which accords with the policy to occupy the unit. They also consider that the proposed use would conflict with the existing industrial uses (Policy EMP4 : Relationship between industry and sensitive uses of the Site Allocations and Delivery Development Plan Document).

Source Documents

Report to Planning Committee 16 March 2016, regarding application DC/15/58775.