

Sandwell Metropolitan Borough Council

18 July 2017

**Proposals to Depart from the Local Development Plan at
171 and 72 Rolfe Street, Smethwick**

1. Summary Statement

- 1.1 At the meeting of the Planning Committee held on 14 June 2017, consideration was given to planning application DC/17/60372 which sought approval to remove a temporary consent and grant permanent use for a Wedding Hall at 171 and 72 Rolfe Street, Smethwick.
- 1.2 At the meeting, the Committee approved the planning permission with conditions recommended by the Director - Regeneration and Planning; and to the application being referred to Council as a departure from the approved development plan.
- 1.3 The site is currently allocated for future housing led regeneration 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.

Further details are attached for your information

2. Recommendation

- 2.1 That an exception to the local development plan be allowed in respect of planning application DC/17/60372 (Removal of condition 2 of the DC/14/57639 to continue use as a wedding hall at 172 and 71 Rolfe Street, Smethwick).

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3. Strategic Resources Implications

The granting of exceptions to the 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 Sandwell Site Allocations and Delivery Development Plan Document. Consequently, the Committee has referred the application to the Council to consider whether or not an exception to the development plan should be granted.

5. Implications for the Council's Scorecard Priorities

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

6. Background Details

- 6.1 This planning application relates to the removal of condition 2 of the existing permission DC/14/57639 to continue the use as wedding hall.
- 6.2 The application refers to former industrial premises in Rolfe Street in an established industrial area. The application site comprises two sites namely, the south side of Rolfe Street (no. 171) along the boundary with Hill Street and the other on the north side of Rolfe Street (no. 72) directly opposite no. 171. No. 171 has been converted to wedding hall with associated car parking and No. 72 is an industrial building which houses overspill car parking for the wedding facility.
- 6.3 Strategic Policy states that the site forms part of a much wider area which is allocated for future housing growth within the Site Allocations Delivery and Development Plan Document (SAD Policy H1). Therefore future employment uses should be managed and controlled to ensure that these activities do not harm future housing led regeneration in the area.
- 6.4 The area at present remains industrial and there are no current residential proposals, indeed any future housing proposals would need to be comprehensive involving larger tracts of land. The Wedding Hall facility re-uses an existing building and given that comprehensive redevelopment for housing remains unlikely at this stage, it is considered that a full planning permission for the site would not prejudice any future plans for the area.

6.5 The proposal would be a departure of the Council's adopted development plan: Site Allocations Delivery and Development Plan Document (SAD Policy H1) and the 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."

Whilst the proposal is contrary to policy, it is considered that the benefits of bringing the industrial building back into a use and the employment opportunities this has generated are material considerations which outweigh the allocation for future housing.

Source Documents

Planning application DC/17/60372.