

Mr Chris Ashmore Ashmore Properties Limited	Proposed erection of new B2/B8 commercial unit (revised application - DC/16/60152). Anglo Caribbean Exports Chaters Close Tipton DY4 8JQ
------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------

Date Valid Application Received 17 July 2017

1. Recommendations

Subject to referral to Full Council as a Departure from the development plan, approval subject to the following conditions:-

- i) The submission and approval of a noise assessment before a B2 use is implemented;
- ii) The submission and approval of all fixed plant and machinery;
- iii) The submission and approval of drainage details;
- iv) The submission and approval of boundary details;
- v) The submission and approval of an intrusive coal mining report and remediation measures;
- vi) The provision and retention of parking and manoeuvring areas; and,
- vii) The unit operating between the hours of 7am and 7pm Monday to Saturday; and 7am and 1pm Sundays and National Holidays.

2. Observations

The application is being brought to the attention of your Committee as the proposal constitutes a departure from the local plan.

The application relates to the car parking area of an existing depot site, situated on the west side of Chaters Close, Tipton. The character of the area is somewhat mixed; with elements of industrial premises evident, a public house, and residential.

The applicant proposes to construct a 375 sqm new commercial unit, together with associated parking. Information contained within the application form makes reference to both B2 (General Industrial) and B8 (Storage and Distribution) uses, and, after discussing the proposal with the applicant, it has been established that the application is speculative and there is currently no identified end user. The application will be determined on the basis that the unit is intended for B2 or B8 use.

The application is a resubmission of a previously refused proposal which was unsuccessful on design, amenity and highways grounds (DC/16/60152 relates).

The dimensions of the unit would measure 15m in length; by 25m in width; by 8.6m in height – to the highest point of the pitched roof. The unit would be of a steel frame construction and metal clad.

The application has been publicised by neighbour notification letter, and site and press notice, without response.

The Head of Highways has no overall concerns over the site layout, but has queried the parking provision for each particular unit. This has been clarified on plan – the existing B8 unit would have six spaces whilst the proposed B2/B8 unit would have six.

The Environmental Health team has recommended conditions in relation to air quality, and has raised concerns in respect of noise – particularly in view of the potential for the unit to be used for B2 use. With regards to vehicle charging bays, in my opinion, the proposal is minor in nature and the floor space and capacity of the unit is unlikely to generate the vehicle movements that would require the submission of a transport assessment and travel plan. Furthermore, only eight new spaces are proposed to be allocated to the new build within the application site, and it therefore considered onerous on the applicant to provide electric vehicle charging bays for such a small-scale development. The Noise Officer has reservations in respect of the contradictory use requests detailed in the submission. In light of these comments,

the agent has now provided proposed operating times of 7am until 7pm. In my opinion, given the mixed nature of the surrounding area, the provision of a B8 unit would be appropriate – especially as the hours of operation could be conditioned. However, I share the concerns of the Environmental Health Officer, and therefore I suggest that a further condition be imposed which requests the submission of a noise and mitigation assessment to be submitted and approved before a B2 use is implemented.

In respect of design, departing from the footprint of the refused scheme, the building has been brought away from the boundaries of the site. The Urban Design Officer has recommended changes, as concerns remain over the relationship between the public house and the proposal; however, I am of the opinion that the agent has done enough to address the design reason for refusal of the previous application.

The Planning Policy officer has stated that the site forms parts of a wider housing allocation in the development plan; but the site also forms part of an area that is still industrial in nature. Since residential development is unlikely to come forward in the short to medium term, the proposal is considered to be acceptable.

The Coal Authority had previously requested the submission of an intrusive site investigation prior to the commencement of development. It is considered prudent to impose a condition acknowledging this.

On balance, taking into account the comments of consultees; the improvements on the refused proposal; and the mixed nature of the surrounding area, the proposal is considered to be acceptable, subject to suitably worded conditions.

3. Relevant History

DD/31757: Land reclamation works treatment, shallow coal workings, land re-profiling, access road, drainage connections, boundary treatments (fences). Approved 23.10.1995

DC/99/35109: Timber manufacturing/storage building with open timber storage (Class B2/B8). Approved 09.03.1999

DC/97/33769: Timber storage buildings and open timber storage. Approved 25.11.1997

DC/16/60152: Erection of new commercial unit. Refused
11.04.2017

4. Central Government Guidance

National Planning Policy Framework

5. Development Plan Policy

BCCS DEL2: Managing the Balance between Employment
Land and Housing

BCCS HOU1: Delivering Sustainable Housing Growth

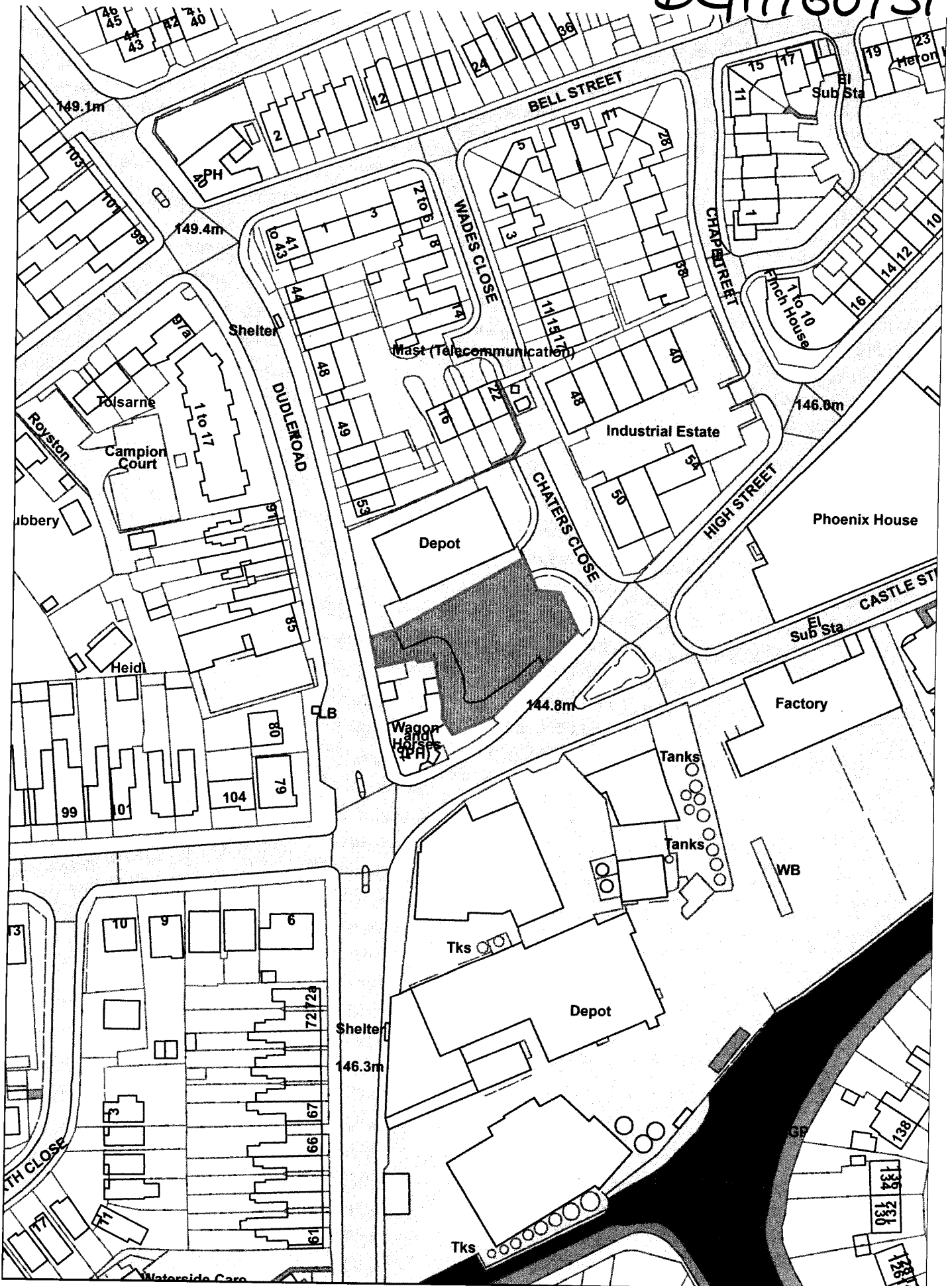
BCCS ENV3: Design Quality

SADD EOS 10: Design Quality & Environmental Standards

6. Contact Officer

Mr Carl Mercer
0121 569 4048
carl_mercer@sandwell.gov.uk

DC/17/60757



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Sandwell MBC Licence No LA 076309 2013 2016



DC/17/60757
 AMENDO PLAN
 22.08.17

ASHMORE PROPERTIES LIMITED
 400 Square Feet Commercial Unit - class B2 for
 Ashmore Properties Limited

Item	Description	Area
1	Proposed new unit	400 sqm
2	Proposed new unit	400 sqm
3	Proposed new unit	400 sqm
4	Proposed new unit	400 sqm
5	Proposed new unit	400 sqm

End elevation
 (South West - from Wagon & Horses pub)

Rear Elevation
 (South East - from B4517 High St)

End elevation
 (North East)

Commercial
 office vehicle
 high manufacture
 training

Existing vegetation to
 be cut back to improve
 visibility signs

Visibility signs
 2.2 metres x
 40 metres

Proposed
 new unit

Site Plan
 1:500

Location Plan
 1:1250

DC/17/60757

Ashmore Properties Limited
 West Bromwich B70 0BW
 Tel 0121 520 5318

DC/17/60757
 J181 Mar 2017
 APL 50 Rev E