


Sandwell Metropolitan Borough Council

16 October 2018

Subject:	Proposal to Depart from the Local Development Plan at Powke Lane, Rowley Regis
	Amy Harhoff – Director of Regeneration and Growth
	
Contact Officer(s):	William Stevens – Planning Officer William_stevens@sandwell.gov.uk

DECISION RECOMMENDATIONS

That :

1. An exception to the local development plan be allowed in respect of planning application DC/18/62046 (Construction of new cemetery including: site remediation, widening of existing access off Powke Lane; office building and operational yard, parking, CCTV, lighting, landscaping and associated works at Powke Lane Open Space, Rear off 55-91 (odds) Powke Lane, Rowley Regis).

1 PURPOSE OF THE REPORT

- 1.1 At the meeting of Planning Committee held on 3rd October 2018, consideration was given to planning application DC/18/62046 which sought approval for a cemetery and associated works. The scheme has been submitted by Sandwell Council and the land is also Council owned.
- 1.2 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.
- 1.3 The Powke Lane site is currently allocated as community open space 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 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 Implications contained within this report support Sandwell's Vision 10 where the Council has a reputation for getting things done focusing on what really matters in people's lives and communities.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 The Council proposes to construct a new cemetery including: site remediation, widening of existing access off Powke Lane; office building and operational yard, parking, CCTV, lighting, landscaping and associated works.
- 3.2 The Powke Lane site is allocated in the development plan as public open space and as a result is a departure from the local plan. Less than half of the current public open space will be converted to a cemetery with access to the existing canal network maintained as well as the existing wildlife protected.

4 THE CURRENT POSITION

- 4.1 The site was visited by the Planning Committee and they subsequently resolved to approve the application subject to the consent of Full Council.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 The application had been publicised by over 50 neighbour notification letters, three site notices and a press notice. In total 25 objections letters and two petitions signed by over 800 individuals have been received. The reasons given for objecting to the application is the loss of public open space and the impact this could have on the existing wildlife.
- 5.2 The Council's Highways, Planning Policy and Environmental Health teams have been consulted as well as the Wildlife Trust, Canals and Rivers Trust, Severn Trent, the Police, Environment Agency and the Coal Authority. There were no objections subject to various conditions being imposed.

6 ALTERNATIVE OPTIONS

- 6.1 Refusal of application is an option – but sound planning reasons for refusal would have to be put forward. Alternative sites have been explored and this is the most suitable site.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The granting of exceptions to the Council's Site Allocations and Delivery Development Plan Document would not have any implications for the resources of the Council.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 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.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 None relevant.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 The planning application and accompanying documentation is a public document.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 None relevant.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 The proposal is considered to be sustainable within the context of the National Planning Policy Framework and other development policies with the Black Country Core Strategy.

13 SUSTAINABILITY OF PROPOSALS

- 13.1 The proposal would provide adequate burial space for the needs of Sandwell for the next 50 years together with enhancements/compensatory measures to remaining open space.

14 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 14.1 The development would provide a much needed service within Sandwell whilst still maintaining public open space to the south of the site.

15 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

15.1 The use of the site would ensure that this site is secure and maintained whilst providing a community benefit.

16 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

16.1 The use of the site would provide a much needed expansion to the existing cemetery on Powke Lane which is reaching capacity whilst still maintaining an area of public open space and a habitat for the existing wildlife.

17 BACKGROUND PAPERS/APPENDIX

17.1 Planning application reference DC/18/62046.

Amy Harhoff
Director – Regeneration and Growth