

Report to Full Council

13 December 2022

Subject:	Proposed departure from the Development Plan at 57 Leabrook Road, Wednesbury
Director:	Tony McGovern Director of Regeneration & Growth
Contact Officer:	Development Planning Manager Alison Bishop alison_bishop@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to an exception to the Development Plan in respect of planning application ref: DC/21/65279 for retention of use as motor car sales, 1.8m high galvanised security fencing and galvanised roller shutter door at 57 Leabrook Road, Wednesbury, WS10 7NW.

2 Reasons for Recommendations

- 2.1 Whilst the proposal forms part of a wider housing allocation, namely land between Lea Avenue/Leabrook Road and Willowsworth Road/Leabrook Road, at present this area includes established commercial uses and hence re-development of the application site would be inappropriate in isolation. The proposal in all other respects is acceptable in appearance and the use is complimentary to existing commercial uses serving Leabrook Road. It is considered on balance, that the proposal is acceptable and a departure from the Development Plan be allowed on this occasion.



3 How does this deliver objectives of the Corporate Plan? (select relevant category and inc narrative how deliver)

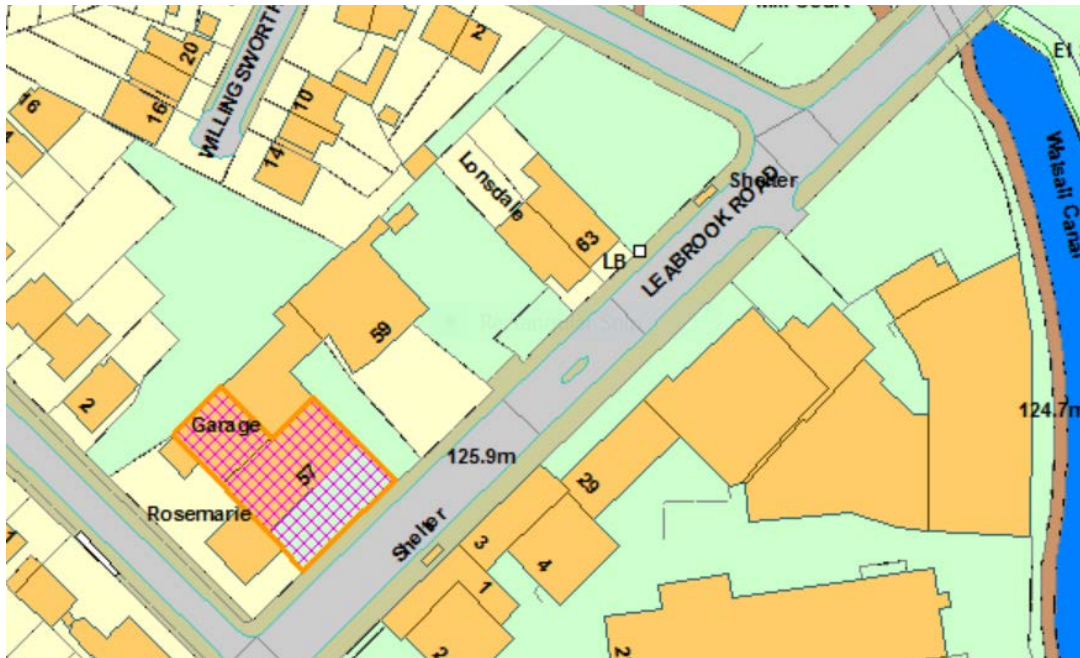


A strong and inclusive economy - The proposal brings a vacant building back into use and provides opportunities for local employment.

4 Context and Key Issues

- 4.1 At the planning committee of 11th May 2021, consideration was given to planning application DC/20/63920, which sought approval
- 4.2 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.
- 4.3 The scheme is for the retention of the land for motor sales along with security fencing and a galvanised roller shutter door.
- 4.4 The purpose of this report is to discuss the 'departure' from the Development Plan only. It is not the role of Council to reconsider the wider planning merits of the application which have already been considered by Planning Committee.
- 4.5 The application was publicised by neighbour notification and no objections have been received.
- 4.6 The Councils Planning Policy, Highways and Public Health (Noise) have been consulted. No objections were received from all the consultees, which could not be overcome by conditions.
- 4.7 From a policy perspective, it was considered that the land surrounding this area is primarily commercial and so a commercial use at this time is better suited to this area until the whole area can be re-developed. See map extract and google maps image below:





5 Alternative Options

- 5.1 Refusing the departure is an option, in doing so clear planning justification would have to be provided as any refusal of planning permission could result in an appeal and costs being awarded against the Council.



6 Implications

Resources:	The granting of exceptions to the Development Plan would not have any implications for the resources of the Council.
Legal and Governance:	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 the Development Plan. Consequently, the Committee has referred the application to the Council to consider whether or not an exception to the development plan should be granted.
Risk:	None relevant
Equality:	None relevant
Health and Wellbeing:	The grant of planning permission with conditions will ensure that the use is controlled to ensure that no harm is caused to surrounding uses.
Social Value	None relevant
Climate Change	The proposal is an existing use and so there are no additional impacts in relation to climate change

7. Appendices

None

8. Background Papers

Planning application reference - DC/21/65279

