

Report to Council

31 January 2023

| | |
|-------------------------|--|
| Subject: | Proposed departure from the Development Plan at Brook Road, Oldbury |
| Director: | Tony McGovern Director of Regeneration & Growth - Neighbourhoods |
| 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/20/64505, proposed development of 13 dwellings at Brook Road, Oldbury.

2 Reasons for Recommendations

- 2.1 The open space was audited in 2013 and found to be of low value to the public for recreational use and that adequate open space is provided within the Oldbury area. This led to the land being disposed of by the Council. The proposal provides good quality housing development which will assist in meeting Sandwell's five-year housing land supply and is acceptable in design terms. 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)



Quality homes in thriving neighbourhoods – the proposal provides much needed homes within Sandwell

4 Context and Key Issues

- 4.1 At the planning committee of 11th January 2023, consideration was given to planning application DC/20/64505, 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 seeks to erect 13 detached dwellings comprising of two house types (Type A and Type B). The Type A house type would have five bedrooms and a detached garage. The Type B house type would have four bedrooms and an integral garage.
- 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, Severn Trent, Lead Local Flood Authority and Police have been consulted. No objections were received from all the consultees, which could not be overcome by conditions.
- 4.7 From a policy perspective, the site being Community Open Space was assessed as part of 2013 Green Space Audit and identified as 'high quality/low value'. 'Quality' being defined as condition of the site and its accessibility and 'value' being the value to the community for its recreational use. Under these criteria, the change to a different use should be considered if the value could not be uplifted through change of the primary purpose. The Audit shows that Oldbury has over 60 hectares



of amenity open space - the second highest in the Borough after West Bromwich. Oldbury and West Bromwich account for over 73% of outdoor sports provision in the Borough. The loss of the Brook Road open space, would have little impact on the overall provision of amenity space in the local area, as there are other amenity open spaces (Cakemore Playing Fields and Barnford Hill Park) within proximity. Consequently, the site was not assessed as part of the 2018 Green Space Audit as, following the land sale, the Council did not consider the site as part of its greenspace portfolio. Therefore, it is considered that the site should come forward for development based on the premise that, as the site was deemed 'high quality/low value' whilst in Council ownership, it is highly unlikely that the quality of the site as open space would be maintained or improved following the Council's disposal of the land. On balance, taking these factors into account, residential development would appear to me to be the most viable option for the site.

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: | Financial, staffing, land/building implications |
| Legal and Governance: | Legal implications including regulations/law under which proposals are required/permitted and constitutional provisions |
| Risk: | Risk implications, including any mitigating measures planned/taken, health and safety, insurance implications |
| Equality: | Implications for equality (all aspects and characteristics) including how meeting Equality Duty, equality impact assessments |
| Health and Wellbeing: | Implications of the proposals on health and wellbeing of our communities |
| Social Value | Implications for social value and how the proposals are meeting this (for e.g. employment of local traders, young people) |



| | |
|-----------------------|--|
| Climate Change | Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed. |
|-----------------------|--|

7. Appendices

Location Plan

8. Background Papers

Planning application reference DC/20/64505

