

# PLANNING APPLICATION NUMBER:P10/0162

Type of approval sought	Full Planning Permission
Ward	BROCKMOOR AND PENSNETT
Applicant	LCP Estates Ltd
Location:	<b>BUILDING 62, BAY 1, THE PENSNETT ESTATE, KINGSWINFORD, WEST MIDLANDS</b>
Proposal	<b>CHANGE OF USE FROM B2 (GENERAL INDUSTRY) TO B1B, B1C (RESEARCH AND DEVELOPMENT AND LIGHT INDUSTRIAL) AND B8 (STORAGE AND DISTRIBUTION)</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO A 106 AGREEMENT</b>

## SITE AND SURROUNDINGS

1. The site measures 0.05 hectares and comprises one bays of an industrial unit. The unit fronts an area of forecourt parking providing 4 car parking spaces. The industrial unit comprises a pitched roof and is clad in grey metal sheeting. A service yard is provided to the rear of the unit with access for delivery vehicles also being located to the rear. Located to the front of the unit is an area of grass planted with some trees.
2. The site is located within an existing industrial estate that comprises a mix of light industrial, general industrial, warehouse and distribution uses.

## PROPOSAL

3. The proposal seeks the change of use of the unit from B2 (general industrial) to B1b, B1c (research and development and light industrial uses) and B8 (storage or distribution use)

## HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
95/51439	Change of use from B1 (Business Use) to B2 (General Industrial Use) including research and development (Bay 1)	Approved with conditions	14/11/95

## PUBLIC CONSULTATION

- The application was advertised by way of eight neighbour letters being sent out to the occupiers of adjoining properties notifying them of the proposed development. The deadline for comments is 10<sup>th</sup> March 2010. No letters have been received commenting on the proposed development at the time of writing the report.

## OTHER CONSULTATION

- Group Engineer (Development): No objection.
- Head of Environmental Health and Trading Standards: No objection

## RELEVANT PLANNING POLICY

- Unitary Development Plan

DD6 Access and Transport Infrastructure

DD7 Planning Obligations

EE1 Key Industrial Areas and Development Sites

AM14 Parking

- The site is designated as falling within a key industrial area.

- Supplementary Planning Document(s)

Planning Obligations

Parking Standards and Travel Plans

- Regional Spatial Strategy

QE3 Creating a high quality built environment for all

## ASSESSMENT

### Key Issues

- Principle
- Parking
- Planning Obligations

### Principle

8. The Pensnett Industrial Estate is located within a Key Industrial Area whereby the primary use is research and development, general industrial, light industrial, warehousing and storage and distribution uses. The proposed change of use would maintain the industrial unit in employment use. The proposals would bring a vacant unit back into a suitable use within a key industrial area. It provides an opportunity to create further employment opportunities within the key industrial area thereby contributing to the continued stability and balance of the key employment area in terms of meeting the Borough's strategic employment needs and contributing towards ensuring the provision of a balanced portfolio of employment land to meet economic objectives.

### Parking

9. The proposed unit would comprise 465.8 square metres of floor space, which would trigger a maximum parking standard of between 6-7 spaces for general industrial (B2) use, between 8-9 spaces for light industrial/research and development (B1b/c) use and 3 spaces for warehouse (B8) use in accordance with the Parking Standards and Travel Plans SPD. The site comprises 7 off street car parking spaces thereby resulting in a potential shortfall of spaces should the unit change to B1b/c use.

10. Whilst there could be a potential shortfall if the site is utilised for B1b/c use the shortfall is not significant and is unlikely to result in highway safety concerns should two vehicles not be able to park within the confines of the red line associated with the site. In addition, since the site is designated as being suitable for all employment uses since it falls within a key industrial area it is not considered that a reason for refusal based on a lack of car parking provision could be reasonable. On this basis, the level of parking provision is considered acceptable and would be in accordance with Policy AM14 of the Adopted Dudley Unitary Development Plan (2005) and the Parking Standards and Travel Plans SPD.

#### Planning Obligations

11. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of the following contributions.

#### Offsite Contributions:

12. The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:
- Nature Conservation Enhancement - £281
  - Management and Monitoring Charge - £250

Total Offsite Contribution equates to £531

A contribution for transport infrastructure improvements was not required since it was considered that the proposed change of use from B2 to B1b, B1c, B2 and B8 was likely to generate fewer trips than the previous (B2) use.

13. The applicant has not at the time of writing the report agreed to the payment of these offsite planning obligations.

## CONCLUSION

14. The proposed use of the industrial unit for light industrial purposes is an appropriate use within a Key Industrial Area. The proposals would bring a vacant unit back into a suitable use that will contribute towards ensuring that the Borough maintains a balanced portfolio of employment land to meet economic objectives

## RECOMMENDATION

15. It is recommended that the application be approved subject to:
  - a)The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision of a contribution towards off site nature conservation enhancement and a monitoring and management charge totalling £531 has been submitted to and agreed in writing by the Local Planning Authority.
  - b)The Scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.
  - c)The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary

### Reason for approval

The proposed use of the industrial unit for light industrial purposes is an appropriate use within a Key Industrial Area. The proposals would bring a vacant unit back into a suitable use that will contribute towards ensuring that the Borough maintains a balanced portfolio of employment land to meet economic objectives

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

Note to Applicant

The development hereby permitted shall be built in accordance with the approved plans numbered **10-805/01** and **10-805/01** unless otherwise agreed in writing by the Local Planning Authority.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Development shall not commence until an arrangement of off site nature conservation enhancement and monitoring and management charge has been submitted to and agreed in writing by the Local Planning Authority. The Scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of infrastructure required in connection with the proposed development.
3. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.



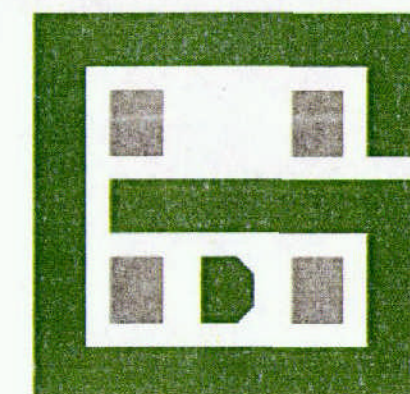
location plan

P10/0162

# GENERAL NOTES

CONTRACTORS MUST VISIT THE SITE AND BE RESPONSIBLE FOR TAKING AND CHECKING ALL RELEVANT DIMENSIONS.

## location plan



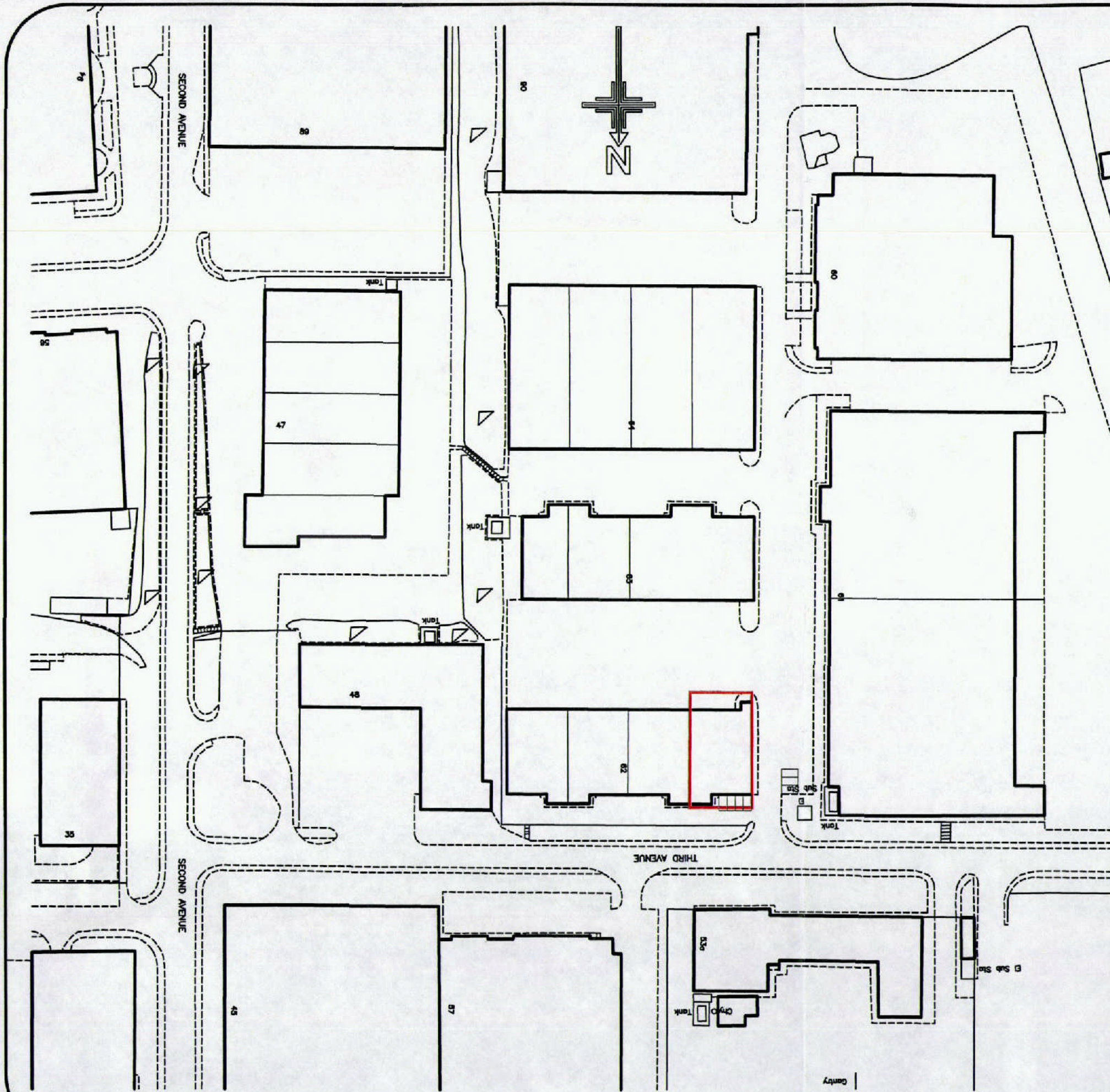
RECEIVED  
- 3 FEB 2010

G.H. DESIGN LTD  
3, NEWTON HOUSE  
THE INNOVATION CENTRE  
THE PENSNETT ESTATE  
KINGSWINFORD  
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tel: 01384 270090  
fax: 01384 404508  
email: mail@ghdesign.co.uk

## L.C.P. Estates Ltd

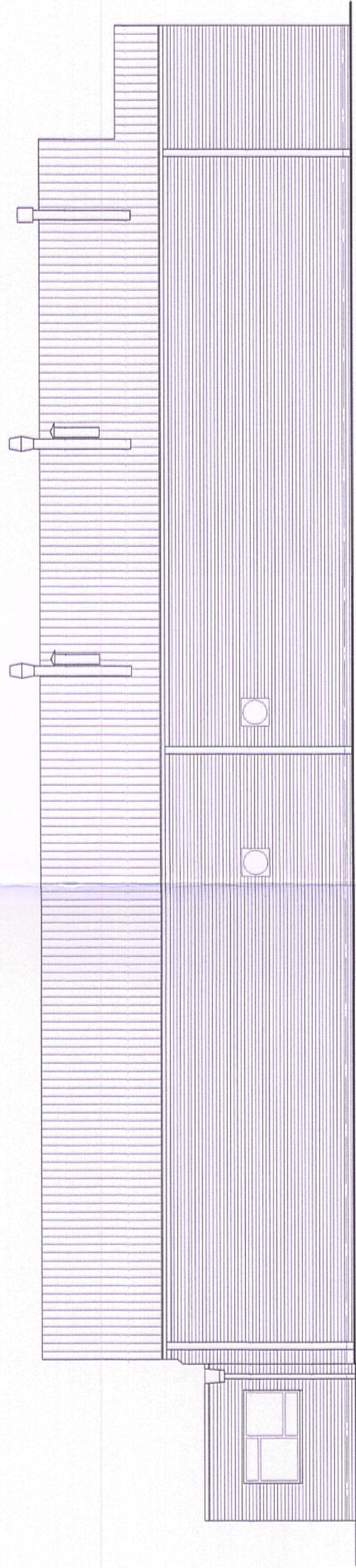
Building 62, Bay 1  
The Pensnett Estate  
Kingswinford

SCALE: 1:1250  
DATE: January 2010  
DRAWN BY: JH  
DRAWING No: 10-805/02

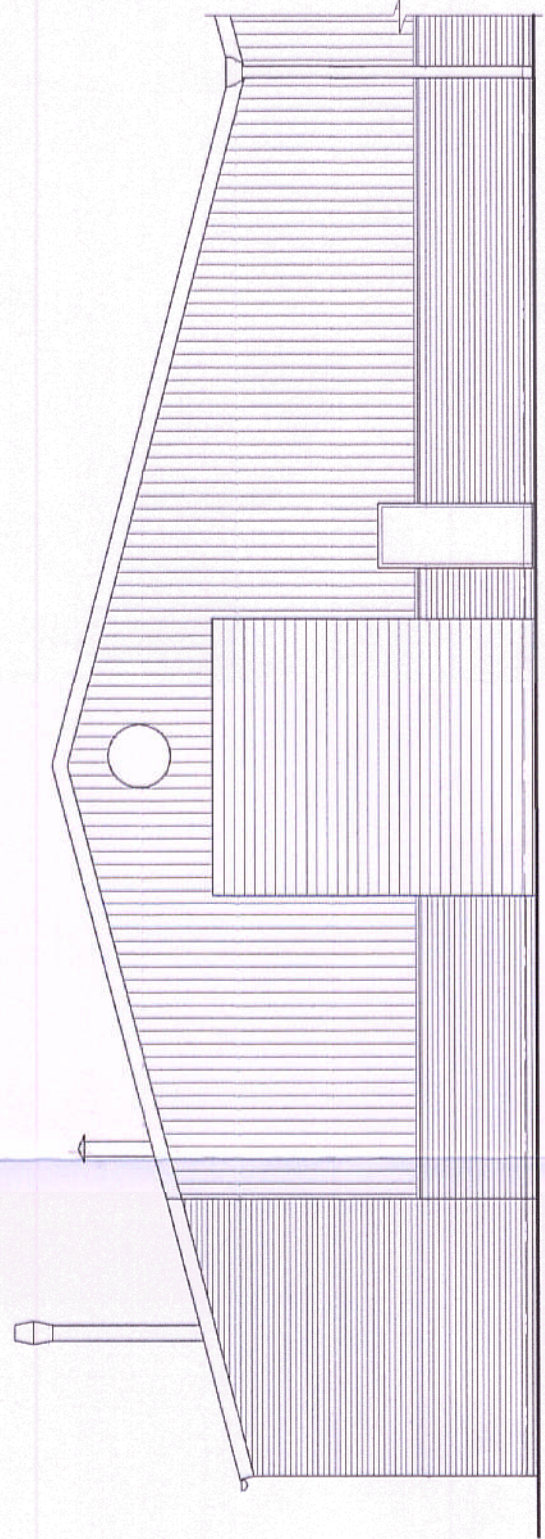




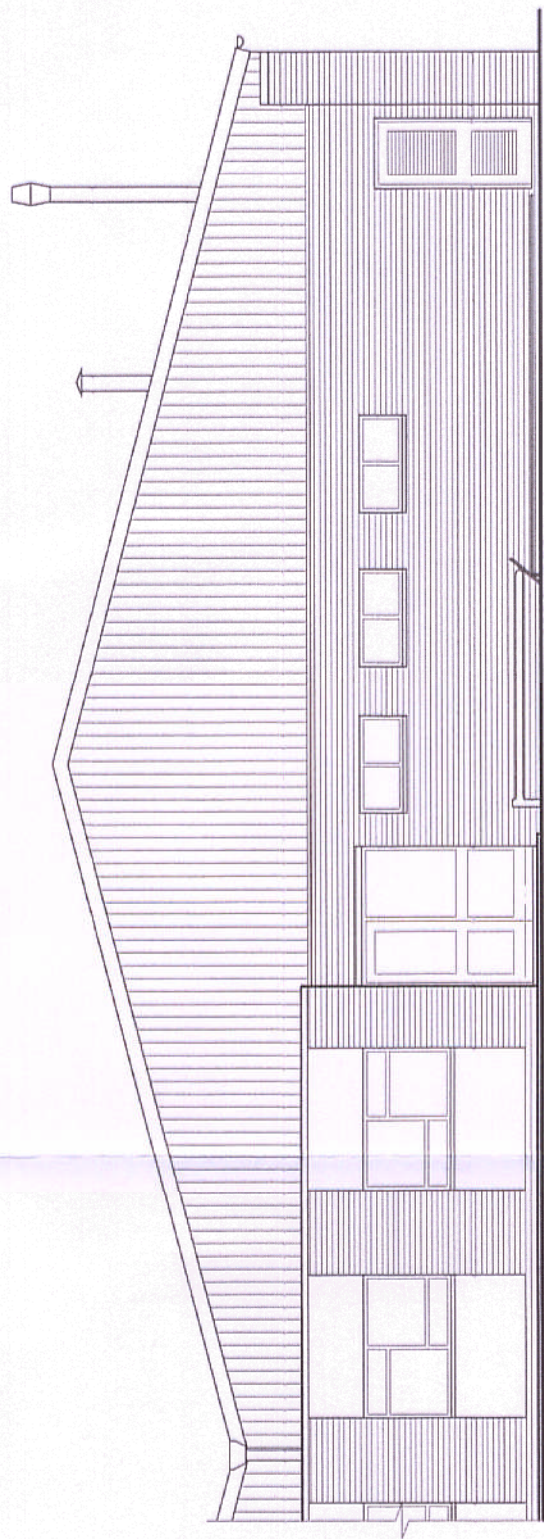
Elevations.  
210/0102.



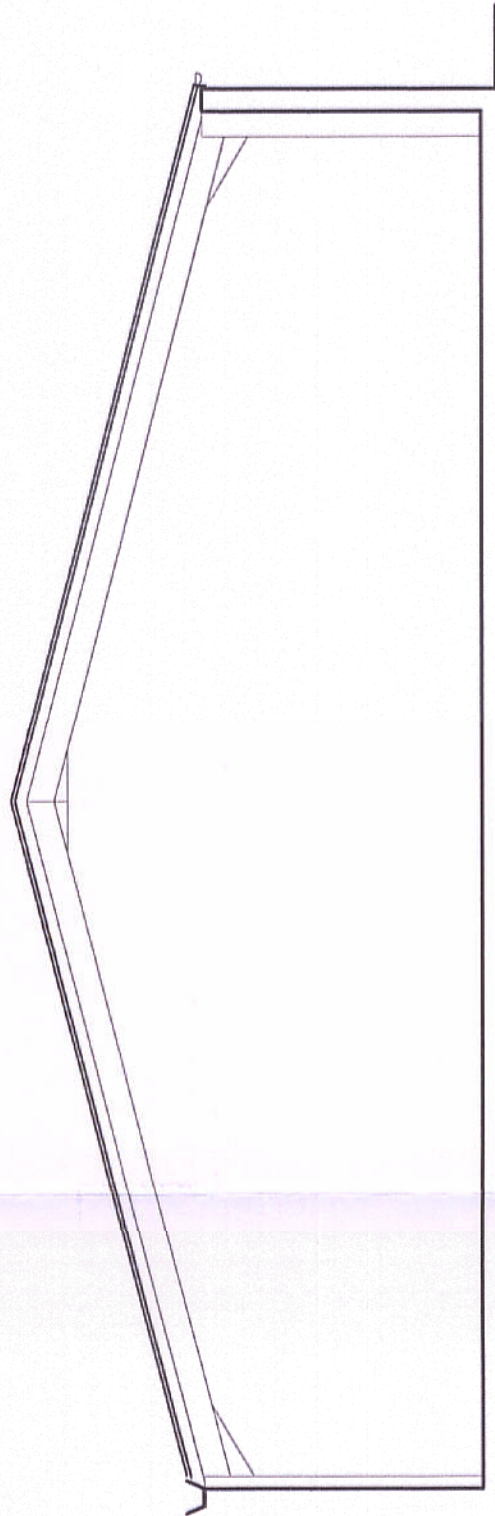
SIDE ELEVATION



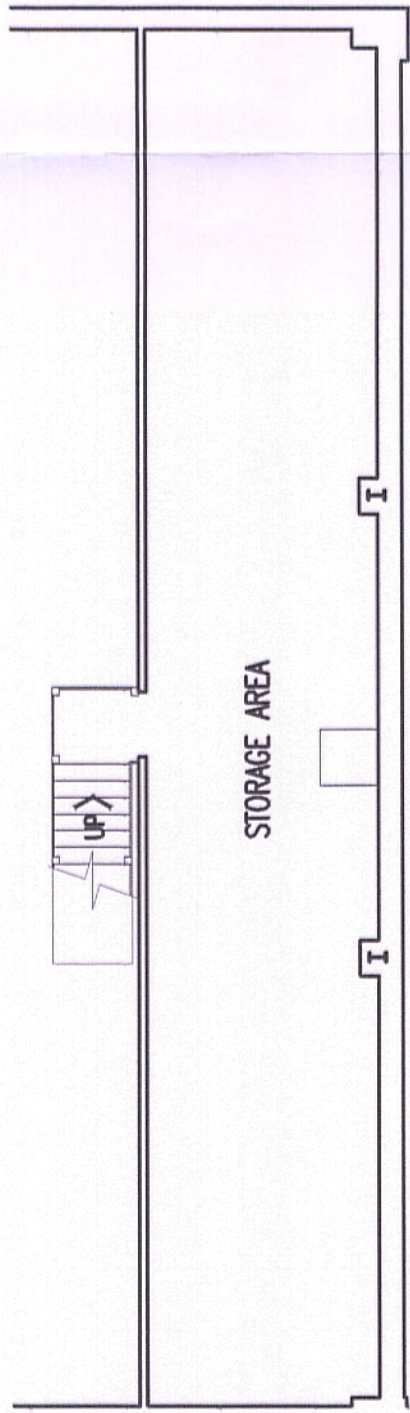
REAR ELEVATION



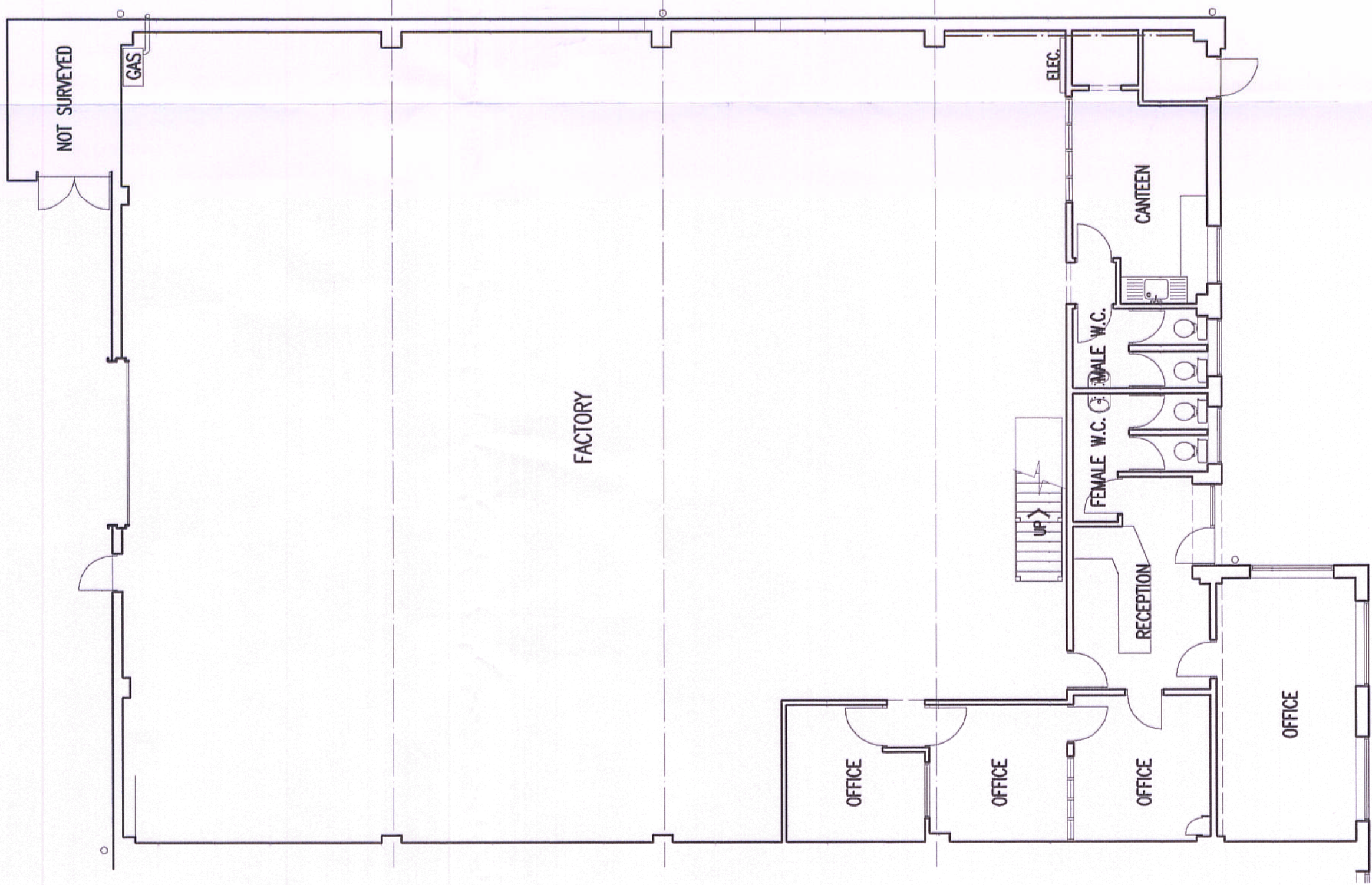
FRONT ELEVATION



TYPICAL SECTION



FIRST FLOOR PLAN



GROUND FLOOR PLAN

GENERAL NOTES		<div><div>RECEIVED - 3 FEB 2010 PENSNETT</div><p>G.H. DESIGN LTD 3, NEWTON HOUSE THE PENNSNETT ESTATE KINGSMIDFORD WEST GLS 270000 Tel: 01884 270000 Fax: 01884 270001 email: mail@gghdesign.co.uk</p></div>	L.C.P Estates Ltd Building 62 Bay 1 Pensnett Estate Pensnett	SCALE: 1:100 DATE: January 2010 DRAWN BY: J.H. DRAWING No: 10-805/01
CONTRACTORS MUST VISIT THE SITE AND BE RESPONSIBLE FOR TAKING AND CHECKING ALL RELEVANT DIMENSIONS.				
As Existing - Floor Plans & Elevations.				