

PLANNING APPLICATION NUMBER:P10/0114

Type of approval sought	Full Planning Permission
Ward	LYE & WOLLESCOTE
Applicant	Mr Samuel Whitehouse, Whitehouse Properties
Location:	UNIT 8, PROVIDENCE DRIVE TRADING ESTATE, LYE, STOURBRIDGE, WEST MIDLANDS, DY9 8HQ
Proposal	CHANGE OF USE FROM WAREHOUSE (B8) TO GENERAL INDUSTRY (B2)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The site measures 0.04 hectares and comprises a single 1980's built vacant industrial unit previously used for warehousing. The unit comprises a shallow pitched roof with brown metal profiled cladding and brickwork to the front elevation. There is a single storey flat roofed projection that has been constructed forward of the main elevation. This part of the building comprises ancillary office space. Both the main entrance into the office and window on the front elevation comprises solid roller shutter doors with the housing attached to the external face of the building.
2. There is an area of forecourt car parking located to the front of the unit which provides 4 car parking spaces. In addition there are two areas of grass verge that immediately adjoin the car parking area and highway along the frontage of the site.
3. The site is located within an existing industrial estate that comprises a mix of light industrial, general industrial, warehouse and distribution uses.

PROPOSAL

4. The proposal seeks the change of use of the unit from B8 (warehouse) to B2 (general industrial). The proposed B2 use would for the purposes of manufacturing UPVC

double glazed window products and doors. The proposed use would employ 5 people and would operate between 0800 and 1800.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
80/50322	Erection of 7 factory units.	Approved with conditions	26/03/80
80/51543	Erection of units for warehousing purposes.	Approved with conditions	23/06/80

PUBLIC CONSULTATION

5. The application was advertised by way of thirteen neighbour letters being sent out to the occupiers of adjoining properties notifying them of the proposed development. The deadline for comments is the 8th March 2010. No letters have been received objecting to the proposed development at the time of writing the report. One letter has been received in support of the application. Since the consultation period has not expired, any further comments will be provided in a pre-committee note.

OTHER CONSULTATION

6. Group Engineer (Development): No objection.
7. Head of Environmental Health and Trading Standards: No objection subject to conditions to control noise.

RELEVANT PLANNING POLICY

- Unitary Development Plan

DD6 Access and Transport Infrastructure

DD7 Planning Obligations

EE1 Key Industrial Areas and Development Sites

AM14 Parking

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

- Supplementary Planning Document(s)

Planning Obligations

Parking Standards and Travel Plans SPD

- Regional Spatial Strategy

QE3 Creating a high quality built environment for all

ASSESSMENT

Key Issues

- Principle
- Parking
- Planning Obligations

Principle

9. The Providence Drive Trading 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

10. The proposed change of use would require the provision of a maximum of 5 parking spaces for a B2 use in accordance with Adopted Parking Standards and Travel Plans SPD. The site is located within walking distance of Lye town centre, which is well served by public transport including the provision of a train station. Given the sustainable location of the site, which could be accessed by modes of transport other than the car and having regard to the fact that the parking standards are maximum standards the shortfall of one space for the proposed B2 use, which is located within a key industrial area is not considered a sufficient reason in which to warrant the refusal of planning permission. The level of parking provision is considered to be sufficient to meet the needs of the development and to therefore 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:
 - Transport Infrastructure Improvements - £1,070.94
 - Management and Monitoring Charge - £250

Total Offsite Contribution equates to £1,320.94

13. At the time of writing the report the applicant has verbally agreed to the above planning obligations. Written confirmation is anticipated prior to the committee and will be confirmed by way of a pre-committee note. The provision of this off site contribution would ensure compliance with Policy DD7 of the Adopted Dudley Unitary Development Plan (2005) as well as the Planning Obligations SPD.

Onsite Provision

14. The proposal attracts a requirement for on-site planning obligations in the form of public realm and nature conservation enhancement. The applicant has agreed in principle to the planting of a native tree within the existing grass verge located to the front of the unit in the form of enhancements to nature conservation and the removal of the existing solid roller shutters and external housing on the front and side elevations of the existing office building in order to improve the visual appearance of the building when viewed from the street scene in the interests of preserving public realm. These improvements can be secured by way of a condition attached to the planning permission with a scheme to be submitted and agreed prior to the commencement of development and would ensure compliance with Policy DD7 of the Adopted Dudley Unitary Development Plan (2005) as well as the Planning Obligations SPD.

CONCLUSION

15. 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

16. 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 transport infrastructure improvements and a monitoring and management charge totalling £1,320.94 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.

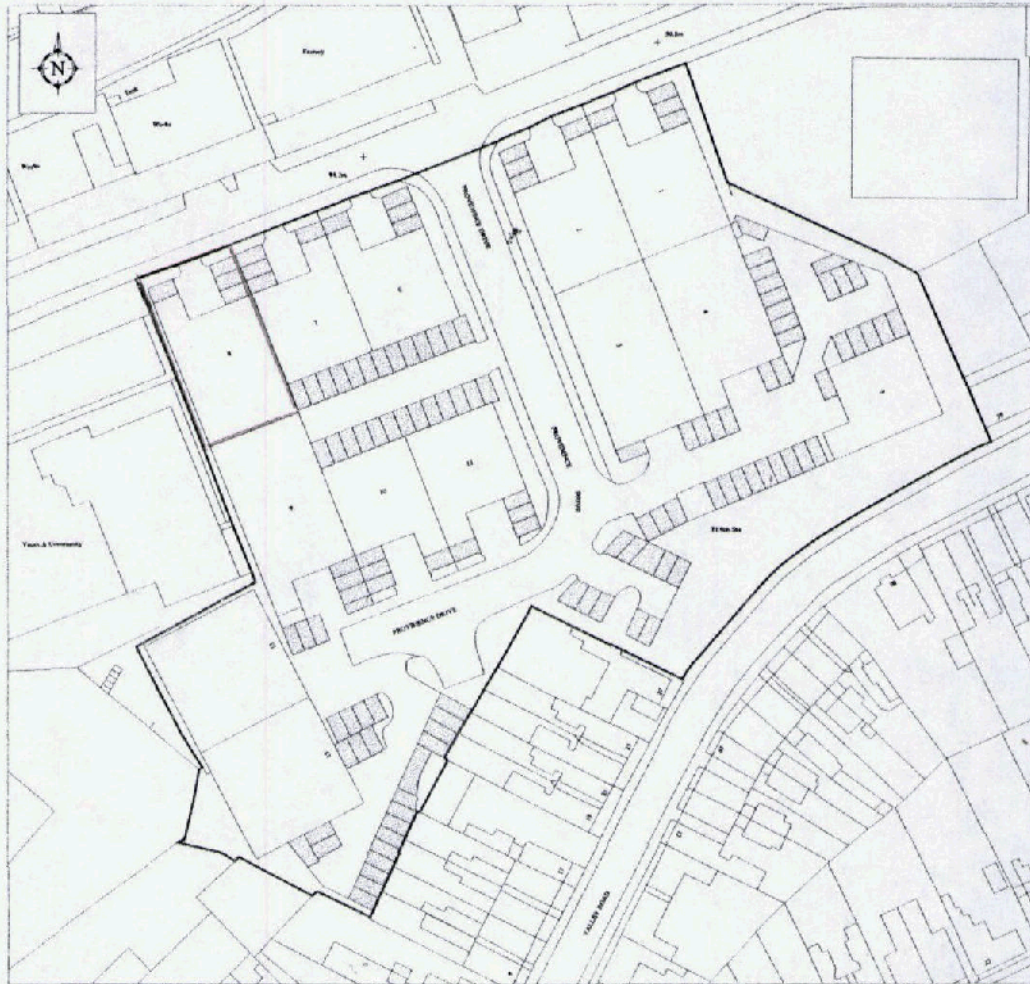
The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.



Note to Applicant

The development hereby permitted shall be built in accordance with the approved plans numbered **9031/935** 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 for the provision of off site transport infrastructure improvements and management and monitoring has been submitted to and approved 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 the infrastructure required in connection with the proposed development.
3. Prior to the commencement of development a plan detailing appropriate on site nature conservation enhancements, in accordance with the requirements of the adopted Planning Obligations Supplementary Planning Document, shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the agreed plans and shall be maintained throughout the life of the development, unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the commencement of development a plan detailing appropriate on site public realm works, in accordance with the requirements of the adopted Planning Obligations Supplementary Planning Document, shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the agreed plans and shall be maintained throughout the life of the development, unless otherwise agreed in writing by the Local Planning Authority.
5. The operation of fixed plant and/or machinery associated with the development shall not cause background noise levels at any nearby dwelling to be exceeded by a Noise Rating Level of more than 5 dB(A), as assessed under the methodology of BS 4142 (1997) (Method for rating industrial noise affecting mixed residential and industrial areas) and/or its subsequent amendments.
6. Prior to the commencement of development, a scheme containing the details of arrangements for air extraction from internal operations likely to emit grit, dust or fumes, control of grit dust and/or fumes, and discharge to atmosphere, including any external ducting and flues, shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's equipment specifications throughout the life of the development.
7. No deliveries or despatches shall be made to or from the site, and no delivery or despatch vehicles shall enter or leave the site (whether laden or unladen), before the hours of 0800 nor after 1800 Monday to Friday, before 0900 nor after 1300 on Saturdays or at all on Sundays and Bank Holidays.
8. The use hereby approved shall not be operated before 0800 hours or after 1800 Monday to Friday, before 0900 nor after 1300 on Saturdays and not at all on Sundays and Public Holidays.



-  Estate boundary
-  Parking space



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Scale 1:1250 @A4
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