

# PLANNING APPLICATION NUMBER:P06/1191

Type of approval sought	Full Planning Permission
Ward	Halesowen North
Applicant	Revelan Group
Location:	<b>FORMER ALUMASC WORKS, MALT MILL LANE, HALESOWEN, WEST MIDLANDS</b>
Proposal	<b>ERECTION OF 11 INDUSTRIAL UNITS.</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

## SITE AND SURROUNDINGS

1. The application site is an existing industrial site, 0.96 hectares in size, formerly the Bissell and Co. Crown Works. Most of the buildings on the site have now been demolished. There are two existing access points into the site - off a private road (Vernon Road) and off Malt Mill Lane. The Malt Mill Lane access drive is alongside a 2 storey office block.
2. There are other industrial units accessed off Vernon Road, and a small industrial estate adjoining the north eastern boundary of the application accessed off New John Street (Vernon Trading Estate). Notwithstanding this, the character of the area is mixed, with residential properties in Vernon Close adjoining the eastern boundary of the site, flats in Olive Lane adjoining the south western boundary and terraced houses in Malt Mill Lane and New John Street.

## PROPOSAL

3. The proposal is a full application for the redevelopment of most of the site to provide 11 industrial units. An existing unit is shown to be retained in the north eastern part of the site, and a 2 storey office block is also shown to be retained on the Malt Mill Lane frontage (outside of the application site boundaries).

- 4 The proposed units are shown with internal floorspace ranging from 151 square metres (Units 7 and 8) to 483 square metres (Unit 11). The retained industrial unit has 750 square metres of floorspace.
- 5 The existing access off Vernon Road is shown to serve the proposed development. Units 1 to 5 are shown with an elevation onto Vernon Road, the other proposed units are shown grouped around an access drive / service area. Parking is proposed in front of the units, and there are two communal parking areas along the eastern and western boundaries of the site. The total number of spaces shown is 75, with 11 bays for disabled persons. There are also 12 motorbike spaces proposed and cycle stands in the communal parking near the south western boundary of the site, and adjacent to Unit 10.
- 6 The proposed units are approximately 9 metres high with shallow pitched roofs and shuttered openings for deliveries. The applicants have confirmed that the proposed units are being developed as speculative shell only buildings primarily to be used for a warehouse use, although they are seeking permission for B1/ B2/ B8 uses.
- 7 A traffic assessment has been submitted, a swept path analysis for HGVs within the site, and a framework Travel Plan. A ground investigation report has also been submitted.
- 8 There have been amendments to the layout – these show the repositioning of Unit 11 – the proposed unit near to the dwellings in Vernon Close.

## HISTORY

- 9 There have been a number of approved applications relating to the erection of factory buildings and ancillary uses, connected with the industrial use of the site, however none of these are considered relevant to the assessment of the current application.

## PUBLIC CONSULTATION

- 10 On previous versions of the scheme, objections were received from all three Local Ward Members and local residents- there was a petition, with 8 signatories signed by the occupiers of dwellings in Vernon Close and a resident in Malt Mill Lane, along with 3 individual letters of objection.
- 11 The issue is concerned with the proximity of Unit 11 to the dwellings in Vernon Close and Malt Mill Lane – this is with particular reference to unit 11 – that it would be far too close to the houses and gardens of those properties, affecting natural daylight and blocking views – also potential noise from that unit would be a concern. Security is also an issue.
- 12 An objection has also been received by persons controlling the private access on Vernon Road, stating that they are not prepared to give unrestricted access to the site.

## OTHER CONSULTATION

- 13 Head of Environmental Protection (HEP): recommends conditions to control the use of Unit 11 to a B1 or B8 use only, that noise conditions and restrictions on delivery times be applied to all units, the use of machinery be restricted in any B2 Units and that a condition to address potential contamination be attached.
- 14 Police Architectural Liaison Officer – recommends that the site is surrounded by a 2.4 metre high fence, with lockable gates.
- 15 Group Engineer (Structures) – raised an issue with the boundary with the flats in Olive Lane – *a condition has been recommended to address this.*  
Group Engineer (Development) – the applicants have submitted details to address issues raised by the Group Engineer with regard to a travel plan, vehicle manoeuvres and the access onto Vernon Road, and on provision within the layout for secure cycle storage and powered 2 wheelers.

## RELEVANT PLANNING POLICY

- 16 The site is within a designated Local Employment Area and Industrial Renewal Area. Given this, and other material considerations, the following adopted Unitary Development Plan (UDP) policies apply

UR5 – Industrial Renewal Area

EE2 – Local Employment Areas

DD4- development in residential areas

DD6 – access and transport infrastructure

EP7 – noise pollution;

AM14 – parking

AM16 – travel plans

## ASSESSMENT

- 17 Principle

This proposal is for the redevelopment of the site for a similar use to the existing, with the form of industrial development proposed (B1/ B2 / B8 units) consistent with the type of development that the development plan encourages in Local Employment Areas (Policy EE2). This is subject to the exclusion of B1 office uses, which are more appropriately located in existing centres. Consequently, subject to a recommended condition to prevent offices being established as a primary use, the proposed use is considered acceptable in principle.

- 18 The site is within an Industrial Renewal Area. Policy UR5 is therefore relevant. This seeks to enhance the image, attractiveness and accessibility within such areas. It is considered that the removal of old redundant industrial buildings and the introduction of landscaping will help to enhance this local environment, with potential (economic and enhanced townscape) benefits for the wider area. The proposal is therefore considered compliant with Policy UR5.

19 Access and parking

The issue of the owners of the private road (Vernon Road) allowing rights of access into the site is considered to be a legal issue outside the scope of planning.

However, it is considered relevant to note that an existing access to an industrial site is proposed to be used.

20 With regard to the detail of the access, a 4.5 m by 45 m visibility splay is shown to be provided as required by the Group Engineer and turning for 15 m long articulated HGV is shown to be achieved within the site.

21 Eighty eight parking spaces are shown, eleven of which are proposed for use by disabled drivers, and 12 for motorbikes. Two cycle stands are also shown. Although the precise mix of B1/ B2 / B8 units proposed is unknown, the applicants have shown that the maximum development parking provision to correspond with that proposed in the layout. The applicants have also shown that there would be a reduction in the trips generated by the proposed development when compared with that which may be attributed to the existing industrial use of the site.

22 It is therefore considered that the proposed development would not have a traffic impact on the highway network and that the proposal provides for a reasonable level and mix of parking.

23 The applicants have provided a framework travel plan – it is recommended that the recommendations of that plan be taken forward.

24 Impact on amenity

The main issue on this, as evidenced by the objections from local residents, is the proposed siting of Unit 11 in the southern part of the site and its potential impact on the occupiers of the dwellings close to it.

25 This is with particular reference to the dwellings in Vernon Close, whose rear gardens are shown backing onto the proposed side elevation of that unit. There is

an existing rear access at the back of those gardens – there was an existing side wall of an industrial unit on the site (2.2 metres high) beyond this.

- 26 As a result of the concerns expressed about the potential over-dominance of the houses in Vernon Close from the siting of Unit 11, the applicants revised the scheme to show the height of that unit reduced from 6.5 to 6 metres in height, and rotated to show the roof pitching in from the facing elevation rather than a gable end. The plans were then further revised to show that unit relocated to be 7.5 metres away from the shared boundary, with a buffer landscape strip intervening – previously the unit was shown 2 metres in from that boundary.
- 27 It is considered that the increased separation distance now shown between Unit 11 and the rear of the dwellings in Vernon Close (19.5 metres) and the proposed planting belt in-between (which now has sufficient width to provide a substantial screen), coupled with a recommended condition that Unit 11 not be used for general industrial (B2) uses, enables the conclusion to be reached that no significant impact on amenity will arise.
- 28 It is considered that restrictions on the use of that unit would also help safeguard the amenity of the occupiers of the dwellings fronting Malt Mill Lane.
- 29 The other conditions advised by HEP, restricting the time of deliveries and the operation of machinery are also recommended to further safeguard amenity.
- 30 Boundary treatment  
Conditions have been recommended requiring details of this to be submitted for approval, including any retaining structures required (on the south west boundaries). It is considered that those conditions will address the issues raised by the Group Engineer (structures) and the Police Architectural Liaison Officer on security.

## CONCLUSION

- 31 The proposed redevelopment of this site for an industrial use is to be encouraged, given the site's designation within a Local Employment Area and Industrial Renewal Area. The revisions to the layout of the scheme now show a satisfactory separation between the proposed units and nearby dwellings, and that this, along with conditions on the use of machinery and deliveries at the site, enable the potential resulting impact on residential amenity to be considered to be at an acceptable level.

## RECOMMENDATION

- 32 It is recommended that permission be granted, subject to the following conditions.

### **Reason for approval**

The proposed redevelopment of this site for an industrial use is to be encouraged, given the site's designation within a Local Employment Area and Industrial Renewal Area. The revisions to the layout of the scheme now show a satisfactory separation between the proposed units and nearby dwellings, and that this, along with conditions on the use of machinery and deliveries at the site, enable the potential resulting impact on residential amenity to be considered to be at an acceptable level. The proposal is therefore considered to be compliant with the provisions of the development plan, in particular policies UR5, EE2, DD4 and DD6 of the Unitary Development Plan.

### 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. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 or Town and Country Planning (Use Classes) Order 1987, as amended by Circular 03/2005, and/or any order revoking or re-enacting those orders,
  - a) none of the proposed units shall be used primarily as an office use as defined as a B1(a) use in the Use Classes Order;
  - b) Unit 11 as shown on the approved layout plan shall only be used for uses defined

as B1 (b), B1 (c) or B8 as defined in the Use Classes Order.

3. The buildings shall be so constructed as to provide sound attenuation against internally generated noise of not less than 30 db averaged over the frequency range 100 to 3150 hz.
4. No goods vehicles shall enter or leave the site between the hours of 1900 and 0700 hours weekdays, nor before 0800 or after 1700 hours on Saturdays, and not at any time on Sundays or Bank Holidays.
5. Unless otherwise agreed in writing by the Local Planning Authority the development shall not begin until a scheme for the treatment of grit, dust, fume, gas or mist and for their extraction has been submitted to and approved by the local planning authority and all works which form part of the scheme shall be completed before the building is occupied. Such facilities shall be retained for the duration of the development.
6. No machinery shall be operated on the premises before 0700 hours Monday to Friday and 0800 hours on Saturdays nor after 1900 hours weekdays and 1700 hours on Saturdays, and not at any time on Sundays or Bank Holidays.
7. Development shall not begin until all existing buildings have been demolished and all rubble removed.
8. None of the dwellings shall be occupied until works for the disposal of foul and surface water drainage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority.
9. Development shall not begin until details of the existing and proposed levels of the site, which should be related to those of adjoining land and highways, have been submitted to and approved by the local planning authority.
10. Before development commences details of boundary treatment, including retaining structures as necessary, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved boundary treatment shall be installed prior to first occupation of the units to be erected.
11. The buildings shall not be occupied until the area shown for loading, unloading, parking and manoeuvring of vehicles on the plan attached hereto has been graded, paved, drained and marked out, and that area shall not thereafter be used for any other purpose.
12. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development.
13. All planting, seeding or turfing comprised in the details of landscaping approved in accordance with condition 12 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees, hedgerows or plants contained in the approved planting scheme which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
14. Development shall not begin until details of the type, texture and colour of materials to be used in the external elevations have been submitted to and approved by the



local planning authority. Development shall be in accordance with the approved details.

15. Development shall not begin until a comprehensive written site investigation strategy (in a form to be agreed by the local planning authority), has been submitted to and approved by the local planning authority. Such a strategy shall facilitate the identification of contaminants and permit the risk based assessment of the development site. Where the investigations identify the presence of contamination, development shall not begin until a scheme to protect the development from the effects of such contamination has been submitted to and approved by the local planning authority. Such a scheme shall: include provisions for validation monitoring & sampling; be implemented in accordance with the approved details before the development is first occupied; and be retained throughout the lifetime of the development.
16. Before development commences a timetable for the implementation of the recommended measures of the framework Travel Plan (provided by Faber Maunsell, dated 8/9/06) shall be agreed in writing by the Local Planning Authority. The measures shall then be implemented in accordance with that agreed timetable.