

# PLANNING APPLICATION NUMBER: P10/0122

Type of approval sought	FULL PLANNING PERMISSION
Ward	BROCKMOOR AND PENSNETT
Applicant	LCP ESTATES LTD
Location:	<b>BUILDING 81, BAY 3 &amp; 4, THE PENSNETT ESTATE, KINGSWINFORD</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 0.2 hectares and comprises two bays of an industrial unit. The unit fronts an area of forecourt parking providing 13 car parking spaces. The industrial unit comprises a pitched roof with forward and rear facing gables and is clad in grey metal sheeting. The front elevation comprises a series of windows at both the ground and first floor with the frames being in blue. 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 west of the application site is a wooded embankment.
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
P01/1134	Demolition of offices to form car parking area and alterations to elevations (Bays 2, 3 and 4)	Approved with conditions	<b>17/08/01</b>
P06/1349	Change of use to B1 (b), B1 (c), B2 and B8 (Bay 2)	Approved with conditions	25/08/06

## PUBLIC CONSULTATION

4. The application was advertised by way of eighteen neighbour letters being sent out to the occupiers of adjoining properties notifying them of the proposed development. The deadline for comments was the 2<sup>nd</sup> March. No letters have been received commenting on the proposed development.

## OTHER CONSULTATION

5. Group Engineer (Development): No objection.
6. 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

7. 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

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 1790 square metres of floor space, which would trigger a maximum parking standard of between 21-23 spaces for general industrial (B2) use, between 30-32 spaces for light industrial/research and development (B1b/c) use and between 10-11 spaces for warehouse (B8) use in accordance with the Parking Standards and Travel Plans SPD. The site comprises 12 off street car parking spaces thereby resulting in a potential shortfall of spaces should the units use be either a B2 or B1b/c use.
10. Whilst there could be a potential shortfall if the site is utilised for either B2, B1b or B1c use, the site immediately adjoins an area of hardstanding located to the west of the application site that would comprise sufficient space in the form of an overspill car park for the unit should the need arise. This parking area has more than sufficient space to accommodate the maximum car parking standards in accordance with Policy AM14 of the Adopted Dudley Unitary Development Plan (2005) and the Parking Standards and

Travel Plans SPD. 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.

### 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 - £1,225

Management and Monitoring Charge - £250

Total Offsite Contribution equates to £1,475

(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 had 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 £1,475 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.

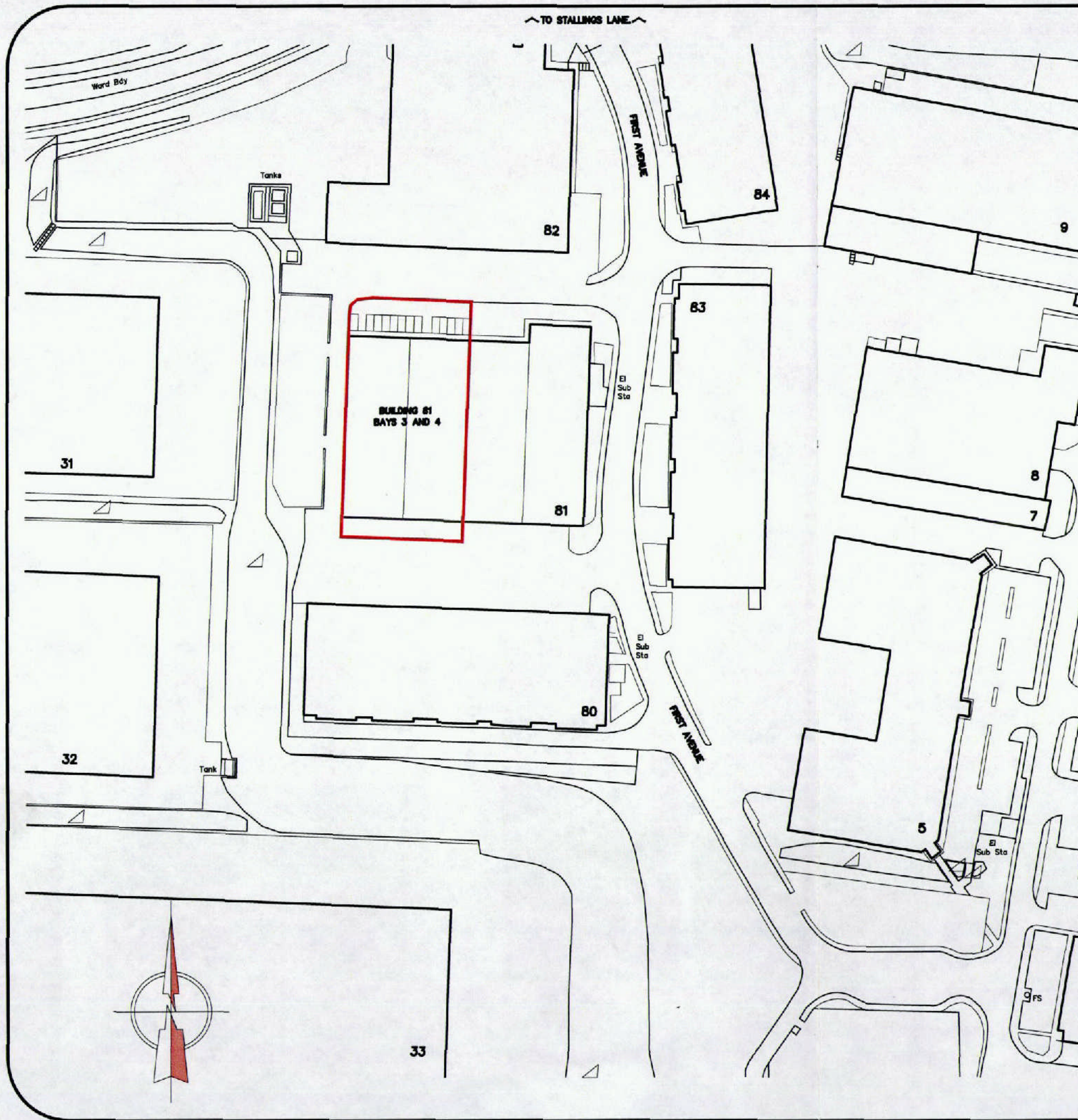
The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

### Note to Applicant

The development hereby permitted shall be built in accordance with the approved plans numbered **10-803/02** and **10-803/01** unless otherwise agreed in writing by the Local Planning Authority.

**Conditions and/or reasons:**

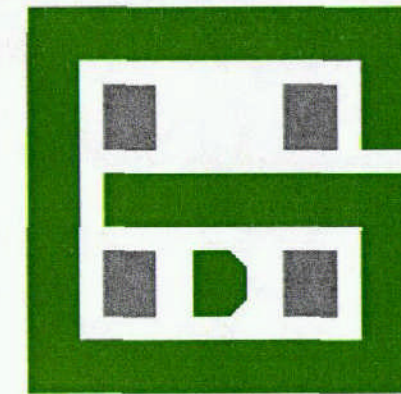
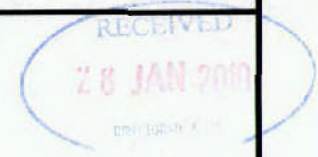
1. BA01 Commencement within 3 years (full)
2. Development shall not commence until an arrangement of off site nature conservation enhancement and monitoring and management charge has been submitted to and agreed in writing by the Local Planning Authority. The Scheme shall include the method, timing and arrangements to comply with the Council's policies for the provision of infrastructure required in connection with the proposed development.
3. Prior to the commencement of development a Transport Statement shall be submitted to and approved in writing by the Local Planning Authority.



**GENERAL NOTES**

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

**Location Plan**

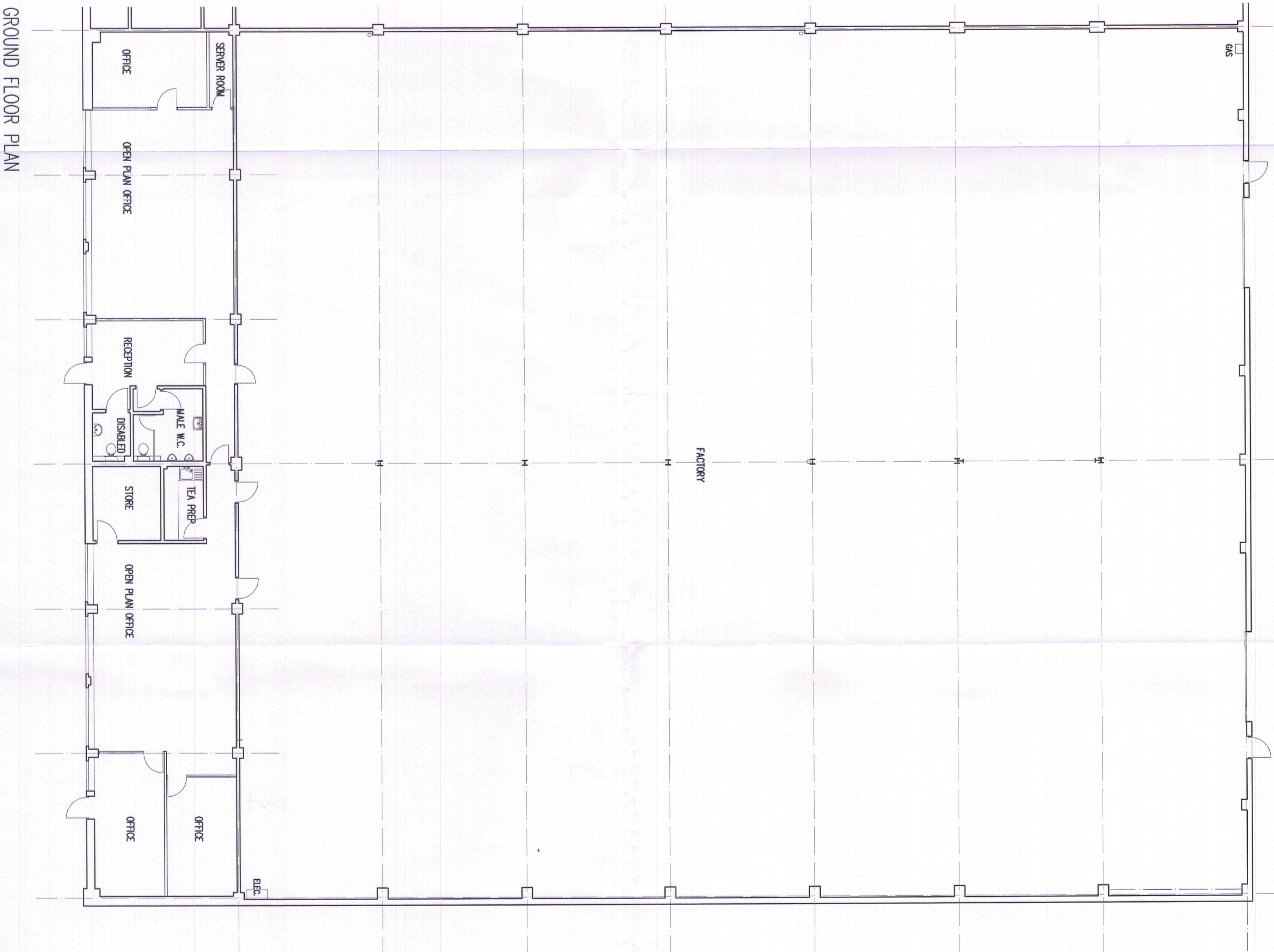


G.H. DESIGN LTD  
 3, NEWTON HOUSE  
 THE INNOVATION CENTRE  
 THE PENNETT ESTATE  
 KINGSWINFORD  
 WEST MIDLANDS. DY6 7YE  
 tel: 01384 270090  
 fax: 01384 404508  
 email: mail@ghdesign.co.uk

**L.C.P Estates Ltd**

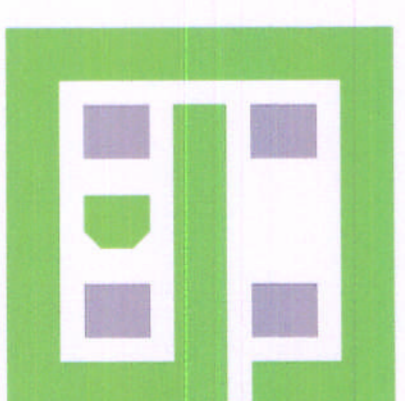
Building 81, Bays 3 and 4  
 The Pensnett Estate  
 Kingswinford

SCALE: 1:1250  
 DATE: Jan. 2010  
 DRAWN BY: J.H.  
 DRAWING No: 10-803/02



GENERAL NOTES  
 CONTRACTORS MUST USE THE GUT AND BE RESPONSIBLE FOR TAKING AND CHECKING ALL RELEVANT DIMENSIONS.

floor plan as existing



3-11 PENSNETT LTD  
 THE INNOVATION CENTRE  
 THE PENNETT ESTATE  
 KINGSWINFORD  
 WEST MIDLANDS B75 7YE  
 TEL: 01824 270000  
 email: mail@lcpdevelop.co.uk

**L.C.P. Estates Ltd**  
 Building 81, Bays 3 + 4  
 The Pensnett Estate  
 Kingswinford

SCALE: 1:100  
 DATE: January 2010  
 DRAWN BY: JH  
 DRAWING NO: 10-803/01