

## **PLANNING APPLICATION NUMBER:P11/1346**

Type of approval sought	Full Planning Permission
Ward	BRIERLEY HILL
Applicant	Mr Kevin Priest
Location:	<b>MOOR STREET INDUSTRIAL ESTATE, MOOR STREET, BRIERLEY HILL, WEST MIDLANDS, DY5 3ST</b>
Proposal	<b>CHANGE OF USE FROM RECLAIMING YARD TO VEHICLE DISMANTLING/RECYCLING CAR PARTS (B2) (AMENDED SITE BOUNDARY)</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### **SITE AND SURROUNDINGS**

1. The site is located within an industrial estate to the south of Moor Street. It is currently vacant, having previously been used as a 'reclaiming' yard (the application form refers to the reclaiming of old tiles, baths, sinks etc). The site contains a number of outbuildings and hardsurfaced areas used for the storage of products. Immediately adjacent the site to the west is a railway line.

### **PROPOSAL**

2. Permission is sought to change the use of the site to the dismantling and recycling of car parts. The layout plan submitted with the application shows a staff/customer parking area, areas for the parking of vehicles which are to be dismantled; and a dismantling area. The applicant has advised that approximately 70% of sales will be online, 15% trade sales, and 15% to the general public. Between 5 and 10 vehicles are to be salvaged per week, which will be transported to the yard by the applicants.

### **PLANNING HISTORY**

3. None relevant.

## PUBLIC CONSULTATION

4. A total of 19 neighbour notification letters have been sent out. As a result letters of objection have been received from 9 of the existing industrial units on the estate, raising the following concerns over the proposal:
- The site has no dedicated parking area to cater for customers;
  - Customers of the application premises will create excessive levels of traffic on an already congested industrial estate, which may lead to blocking of accesses and/or prevent lorries from being able to properly manoeuvre and park to load/offload goods;
  - The site is not properly surfaced for the proposed use;
  - Increased volume of noise from the site will affect working conditions at existing premises;
  - Contamination from general waste and oil;
  - Security risks.

## OTHER CONSULTATION

5. Head of Environmental Health and Trading Standards – The application site is surrounded by industrial uses and as such there are no adverse comments in terms of noise.
6. Group Engineer ( Development ) – No objection, subject to a condition requiring the provision of a parking layout showing no more than 4 parking spaces for staff and customers and a condition limiting the onsite sale of parts to members of the public.
7. Environment Agency: No comment, as the site has low environmental risk.

## RELEVANT PLANNING POLICY

8. Black Country Core Strategy
- Policy EMP1 ( Providing for Economic Growth and Jobs )

### Saved 2005 UDP Policies

- Policy DD5 ( Development in Industrial Areas )

## ASSESSMENT

9. Policy EMP1 of the Core Strategy seeks to ensure that there is a sufficient stock of employment land to meet demand and support the growth and diversification of the economy. It is considered that the reuse of this site for industrial purposes is in accordance with the aims of this policy.
10. Saved Policy DD5 of the UDP requires that proposals for development should maintain or enhance the character and environmental quality of the area and provide adequate arrangements for the parking and manoeuvring of vehicles.
11. The proposed use of the site is appropriate in the context of its industrial setting. General activities associated with the use should not in principle have any harmful effect on the viability and environmental quality of the existing businesses on the estate. Whilst concern has been expressed that the site will be vulnerable to metal thefts, with an associated impact on security at the other units; it is not considered that this in itself would be sufficient reason to warrant refusal of the application.
12. Based on the information submitted by the applicant, the proposed use would be a relatively small-scale operation with on average no more than 2 vehicles per day brought to the site.
13. There is sufficient space within the site for delivery vehicles to manoeuvre and park, without having to park elsewhere on the estate outside the site. The applicant has stated that the majority of sales will be made online and that the number of customer vehicles visiting is not likely to be so significant so as to impact on the operations of the existing businesses. Whilst there will be an element of sales to visiting members of the public, the predominant use of the site will be for industrial purposes.

14. An area for customer parking will be available within the site and a suitably condition should be attached to ensure that it is provided prior to the commencement of the use.
15. The Group Engineer has also requested that another condition be attached to any approval to ensure that the on-site sale of parts is restricted to members of the public. However given the small scale nature of the proposal and the fact that the enforcement of such a condition would be difficult it is not considered necessary or expedient to attach such a condition.
16. With regard to concerns raised by objectors relating to the surfacing of the site and contamination, these are matters which would be regulated by the Environment Agency and are outside the control of the local planning authority. As stated above the Environment Agency have been consulted on this proposal and have confirmed that they have no objections to it.

## CONCLUSION

17. The proposed use of the site will help to achieve the aims of Black Country Core Strategy Policy EMP1 by ensuring that the site remains in employment use. The use would not have any adverse effect on the character or environmental quality of the area or the viability of existing nearby industrial operations, and will be provide adequate space for the parking and manoeuvring of vehicles. As such the proposal complies with Saved Policy DD5 of the UDP.

## RECOMMENDATION

14. It is recommended that the application be approved subject to the following conditions:

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. The development hereby permitted shall be carried out in accordance with the approved site layout plan marked 'amended plan'.
3. Prior to first use of the development hereby permitted the parking area shall be surfaced and marked out in complete accordance with the approved site layout plan, and shall thereafter be used for no other purpose than the parking of staff and customer vehicles.

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