

Sandwell Metropolitan Borough Council
Development Management Section
P.O. Box 2374
Council House
Freeth Street, Oldbury
West Midlands. B69 3DE



Application No.DC/15/58777

SANDWELL METROPOLITAN BOROUGH COUNCIL

PLANNING PERMISSION
TOWN AND COUNTRY PLANNING ACT 1990

**THE TOWN AND COUNTRY PLANNING (APPLICATIONS)
REGULATIONS 1988**

Name and Address of Applicant	Name and Address of Agent
Mr Mark Lewis J & P Lewis Metals Ltd Anchor Bridge House Blakeley Hall Road Oldbury B69 4ET	Mrs Pamela Whitrow Build Consultants Ltd The Old Fire Station School Hill Whimple Exeter Devon EX5 2TS

Site: Land At Blakeley Hall Road Oldbury

Particulars of Development: Proposed industrial building for steel fabrication.

Valid application received on: 25th November 2015 amended on 9th May 2016
5th August 2016

The Borough Council of Sandwell as local planning authority hereby **GRANT PLANNING PERMISSION** to the above described development proposed in the application numbered as shown above and in the plans and drawings approved as listed overleaf, subject to the following condition(s):-

Conditions

1. The development must conform with the terms of and the plans accompanying the application for permission and must remain in conformity with such terms and plans, save as may be otherwise required by (any of) the following condition(s), or approved amendment(s).
2. The development must be begun not later than the expiration of 3 years from the date of this permission.
3.
 - a) Before the development is commenced details of drainage works for the disposal of both surface water and foul sewage shall be submitted in writing to and approved by the Local Planning Authority.
 - b) The approved drainage works shall be implemented before the development is brought into use and thereafter retained as such.
4. Before the development is commenced details of highway improvement works to include new drainage gullies on the highway shall be submitted to and agreed by the Local Planning Authority.
5.
 - a) Before the development is first occupied a detailed hard and soft landscaping and planting scheme (to include detailed planting to the northern boundary with the Canal) shall be submitted in writing to and approved by the Local Planning Authority.
 - b) The approved hard and soft landscaping and planting scheme shall be implemented within eight months of the development being occupied.
 - c) Any tree, hedge or shrub planted as part of a soft landscaping scheme (or replacement tree/hedge) on the site, and which dies or is lost through any cause during a period of 3 years from the date of first planting shall be replaced in the next planting season.
6. Before the development is commenced details of an external lighting scheme shall be submitted to and approved by the Local Planning Authority.

7.

- a) Before the development is commenced a detailed noise and vibration assessment shall be carried out to determine the impact of the proposed development upon neighbouring residential property. This shall identify any necessary mitigation measures and shall be submitted to and be agreed by the Local Planning Authority.
- b) Any necessary mitigation measures agreed shall be carried out in full before the industrial building is first brought into use and shall be retained thereafter.

8.

- a) Before the development is commenced a construction management plan (to include a detailed stage by stage construction proposal) shall be submitted and agreed by the Local Planning Authority.
- b) The development shall be carried out in accordance with the approved plan.

9.

- a) Before development is commenced a detailed method statement setting out job and apprenticeship opportunities which may arise during the construction of the development and/or when the development is brought into use, shall be submitted in writing and approved by the Local Planning Authority.
- (b) The approved method statement shall thereafter be implemented.

10. The agreed Flood Risk Assessment and Sustainable Urban Drainage System (SUDS) shall be implemented in full.

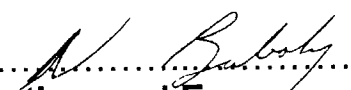
Reasons

- 1. To ensure that any development undertaken under this permission shall not be otherwise than in accordance with the terms of the application, on the basis of which permission is being granted, except in so far as other conditions may so require.
- 2. Pursuant to section 91 of the Town and Country Planning Act 1990
- 3. To ensure that satisfactory drainage is provided and also to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with the National Planning Policy

Framework and Policy ENV5 'Flood Risk, Sustainable Drainage Systems and Urban Heat Island' of the Black Country Core Strategy.

4. In the interests of the safety and convenience of the highway.
5. To enhance the appearance of the development.
6. In the interests of the safety and convenience of the users of the highway.
7. To protect future occupiers from undue noise and disturbance and in accordance with paragraph 109 of the National Planning Policy Framework Policy EMP4 'Relationship between industry and sensitive uses in the Black Country Join Core Strategy.
8. To safeguard the structural integrity of the M5 Motorway.
9. In accordance with policy EMP5 of the Black Country Core Strategy, and policy SAD EMP 2 of the Site Allocations and Delivery Development Plan Document.
10. To ensure that satisfactory drainage is provided and also to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with the National Planning Policy Framework and Policy ENV5 'Flood Risk, Sustainable Drainage Systems and Urban Heat Island' of the Black Country Core Strategy.

Date **15 AUG 2016**

Signature 
Area Director - Regeneration and Economy

N.B.

1. **THIS IS A PLANNING PERMISSION ONLY. IT IS NOT AN APPROVAL:-**
(A) UNDER THE BUILDING REGULATIONS (WORK WHICH REQUIRES SUCH APPROVAL MUST NOT START UNTIL IT HAS BEEN OBTAINED): OR
(B) UNDER ANY OTHER STATUTORY PROVISION
2. **YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF.**

APPROVED PLANS AND DRAWINGS:-

Plan Description	Reference	Version
Block Plan	002	
Planning Layout - Proposed	01	a
Location Plan	001	a
Planning Layout - Proposed	005	b
Elevation Plans - Proposed	006	b

NOTE FOR APPLICANT

Informatives:

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained. Please visit <http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property> or <http://bit.do/crt-code-of-practice>

The applicant is advised that surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact John Thompson from the Canal & River Trust Utilities team (John.Thompson@canalrivertrust.org.uk).

The applicant/developer is advised that any oversail, encroachment or access to the waterway or towpath requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust regarding the required access agreement.

Applicant Engagement Statement

In dealing with this application the local planning authority has worked with the applicant in a positive and proactive manner in compliance with paragraphs 186 and 187 of the National Planning Policy Framework.

The following Policies And Proposals Contained Within Sandwell Council's Development Plan Are Relevant to the Determination of this Application:

ENV3 Design Quality

Policy

Each place in the Black Country is distinct and successful place-making will depend on understanding and responding to the identity of each place with high quality design proposals. Development proposals across the Black Country will deliver a successful urban renaissance through high quality design that stimulates economic, social and environmental benefits by demonstrating that the following aspects of design have been addressed through Design and Access Statements reflecting their particular Black Country and local context:

1. Implementation of the principles of “By Design” to ensure the provision of a high quality network of streets, buildings and spaces;
2. Implementation of the principles of “Manual for Streets” to ensure urban streets and spaces are designed to provide a high quality public realm and an attractive, safe and permeable movement network;
3. Use of the Building for Life criteria for new housing developments, to demonstrate a commitment to strive for the highest possible design standards, good place making and sustainable development, given local circumstances;
4. Meeting Code for Sustainable Homes Level 3 or above for residential development and Building Research Establishment Environmental Assessment Method (BREEAM) Very Good or above for other development, or the national requirement at the time of submitting the proposal for planning permission, to demonstrate a commitment to achieving high quality sustainable design;
5. Consideration of crime prevention measures and Secured By Design principles.
6. Including design features to reduce the urban heat island effect such as tree cover, green roofs and the inclusion of green space in development.

SAD EOS 9 - Urban Design Principles

The Council will assess all applications for new development in accordance with policy ENV3, Design Quality, of the Black Country Core Strategy.

The Council will reject poor designs, particularly those that are inappropriate in their locality, for example, those clearly out of scale with or incompatible with their surroundings.

Particular regard will be paid to how the development relates to the street, its relationship with the public realm, the ease with which the public are able to move through and around the development, and the nature and height of any buildings and their effect on the surrounding urban area.

EMP2 Actual and Potential Strategic High Quality Employment Areas

Policy

The Strategic High Quality Employment Areas will be characterised by excellent accessibility, high quality environment and clusters of high technology knowledge based sectors. The Black Country currently provides 526 ha of high quality land and we will safeguard them for manufacturing and logistics uses within Use Classes B1 (b) (c), B2 and B8.

The Black Country needs an additional 1,031 ha of Strategic High Quality Employment Land. Targets for each Local Authority area including parts of South Staffordshire north of Wolverhampton are set out in Table 11.

Some employment generating non Class B uses will also be permitted in actual and potential strategic high quality employment areas, where they can be shown to support, maintain or enhance the business and employment function of the area.

We will encourage high quality development / redevelopment and discourage development that prejudices quality, dilutes employment uses or deters investment. We will also seek public intervention to support development, improvement and marketing of these sites.

These sites will be protected from redevelopment for other non-employment uses.

An indicative breakdown by regeneration corridor to illustrate how this target will be achieved is set out in Appendices 2 and 3. This is illustrative, based on the strategic evidence we have which shows how we may expect our targets to be delivered. But to allow for flexibility as local documents are progressed our targets are presented at the local authority level.

The broad location of the existing and potential Strategic High Quality Employment Areas is shown on the Key Diagram and Regeneration

Corridor Plans, and detailed boundaries will be confirmed in Area Action Plans, Allocations Development Plan Documents and Proposals Maps.

NOTES

Unstable or Contaminated Land

Responsibility and subsequent liability for safe development and secure occupation rests with the developer and/or landowner. Although the local planning authority has used its best endeavours to determine the application on the basis of the information available to it, this does not mean that the land is free from instability or contamination.

In cases where the question of stability or contamination has been a material consideration, resolution of this issue does not necessarily imply that the requirements of any other controlling authority would be satisfied, and the **granting of planning permission does not give a warranty of support or stability or of freedom from contamination.**

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town & Country Planning Act 1990.

If you want to appeal, then you must do so within 12 weeks of the date of this notice in the case of a householder application and within six months of the date of this notice in any other case, using a form which you can get from The Planning Inspectorate, 3/17 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not determine an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the General Permitted Development Order 1995 or any of the relevant Development Order and to any Directions given under such Order(s).

In practice, the Secretary of State is unlikely to refuse to consider appeals solely because the local planning authority based its decision on a Direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State for the Environment Transport and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

Notes for applicants who intend to carry out work to which the Building Regulation apply:

Now that you have your Planning Permission, you will also need to consider applying for Building Regulation approval. This is basically a technical exercise to ensure that your project complies with current national building standards and that your health and safety (and that of members of your household) is not compromised.

Sandwell Council's Regeneration and Economy Directorate also provides a Building Control Service and if your scheme requires Building Regulation approval, I would ask you to contact my Building Control Section on 0121 569 4054/4055 if you require further information concerning the Building Regulations process or visit our website at www.sandwell.gov.uk for guidance and forms.

The Council's in-house Building Control Team can offer the following services:

- Assessment of plans and any structural calculations – plans and details will be checked by our Team of qualified surveyors to check for compliance with the Building Regulations.
- Next day site inspection service (providing you book your inspection prior to 5.30 pm)
- In order to ensure that your building work meets minimum safety standards our Surveyors will carry out a pre-scheduled number of site inspections dependent on your project. We understand the importance of you (and your contractor) having on-site advice available throughout the duration of your project.

Impartial and independent advice – as a team within the Council, Building Control does not have any contracts or links with architects or contractors and therefore, our primary concern is that your project meets current construction standards and that health and safety is given the highest priority.

thinkSandwell

Sandwell Metropolitan Borough Council's Employment & Skills

Sandwell is recognised as being within an area which has high levels of worklessness and low skills. As a key responsibility to counteract this, the Council's Regeneration and Economy's 'Think Sandwell' team endeavour to maximise enterprise and employment opportunities from all new investment identified in the borough.

As part of all planning decisions we require applicants to consider the Council's ethos of employment and skills creation opportunity wherever possible under the Community Benefits and Social Value Act 2012.

Working with Think Sandwell enables the endorsement of community benefits linked to targeted recruitment and employment, helping to sustain the boroughs economic, social and environmental considerations.

Contacts:

Further enquiries in regard to the community benefit initiative within Sandwell please contact Karen_richards@sandwell.gov.uk Community Benefit Coordinator – 0121 569 2104/M: 07929353338 and Paul_smith@sandwell.gov.uk Senior Manager - Sector Development - 0121 569 3309 / M: 07979591982