



Planning Committee

Tuesday, 15 January 2019

Planning application no. 18/01362/FUL

Site	Land Formerly BASF Premises, Neachells Lane (access off Well Lane)		
Proposal	Proposed industrial / distribution development (B1c Light Industry, B2 General Industrial / B8 Storage and Distribution), together with ancillary offices, parking and servicing		
Ward	Wednesfield South;		
Applicant	Barberry Perry Barr Limited		
Cabinet member with lead responsibility	Councillor John Reynolds Cabinet Member for City Economy		
Accountable Director	Richard Lawrence, Director of Regeneration		
Originating service	Planning		
Accountable employee	Phillip Walker	Senior Planning Officer	
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1.0 Summary recommendation:

1.1 Grant subject to conditions.

2.0 Application site

- 2.1 This 1.3 ha site is located to the south-east of Wednesfield Village Centre. It is an irregular shape with access off Well Lane. The rear gardens of housing on Bolton Road adjoin the northern site boundary. To the east are bungalows set within a cul-de-sac off Neachells Lane. Industrial development is located on the eastern side of Neachells Lane. Wednesfield Business Park and other commercial development are to the west and south. The Gem Children's Centre and car park is to the south east.
- 2.2 The site was occupied by BASF Coatings and Inks but has been vacant and cleared of buildings for at least fifteen years. The land is overgrown and there are trees within and around the site boundaries.

3.0 Application details

- 3.1 The application seeks permission for a single building with a floor area of 5163 square metres. The building is a maximum height of 12.9 metres, with the eaves height 2.3 metres lower at 10.6 metres. It is approximately 70 metres long and 72 metres wide. The proposed materials are metal profiled sheeting, cladding panels and glazing.
- 3.2 Vehicular and pedestrian access is shown from Well Lane along an existing private estate access road. The layout shows 45 car parking spaces and four lorry loading bays and two lorry entry doors. The vehicle parking, circulation space and loading bays are at the front of the building in the southern part of the site.
- 3.3 The site would operate 24 hours a day, seven days a week.
- 3.4 The development proposal is speculative and as such there is no identified end user.
- 3.5 The applicants state that the development constitutes an investment of £6.2 million and is likely to create between 81 and 151 jobs.

4.0 Planning history

- 4.1 17/01428/FUL. Proposed industrial / warehouse development (Use Class B2 - General Industrial / B8 Storage and Distribution) including vehicle parking and servicing areas. Withdrawn 07.09.2018. The application was recommended to Planning Committee for refusal because of unacceptable impact upon neighbour amenity, particularly in relation to noise disturbance, overbearing impact and loss of light/sunlight.
- 4.2 03/0726/VV. Variation of condition two of planning permission C/0686/98. To increase time to increase time allowed to implement the planning application for change of use to B1 Business, B2 General Industrial and B8 Storage and Distribution uses. Granted 24.08.2003.
- 4.3 98/0686/FP. Change of use to B1 Business, B2 General Industrial and B8 Storage and Distribution 24.08.2003. This permission covered the use of the site and buildings as they then were, and not new buildings.

5.0 Relevant policy documents

- 5.1 National planning Policy Framework (NPPF)
- 5.2 The Development Plan
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

6.0 Publicity

- 6.1 Four objections received. Comments summarised as follows:

- Detrimental impact upon residential amenity, particularly of residents of Neachells Lane
- Too close to surrounding dwellings - overbearing impact and reduction in light.
- Businesses would cause disturbance day and night.
Noise, air and light pollution and harm to wildlife.
- Increase in traffic, detriment to safety.

7.0 Consultees

- 7.1 Transportation – No objections subject to conditions requiring the provision and retention of vehicle parking, circulation space, traffic regulation orders on Well Lane, bin and cycle stores.
- 7.2 Ecology – No objections subject to implementing the recommendations of the submitted ecology report.

8.0 Legal implications

- 8.1 There are no legal implications arising from this report KR/19122018/C.

9.0 Appraisal

- 9.1 BCCS Policy EMP2 and BCCS Appendix 2 identifies the area as to be retained for employment uses (B1 Business, B2 General Industrial and B8 Storage and Distribution). The proposed development is therefore in accordance with this employment allocation.
- 9.2 The rear elevations and back gardens of 48 – 80 Bolton Road would be orientated directly towards the northern blank rear elevation of the proposed building, the nearest of which is forty metres away.
- 9.3 The nearest residential property to the east is 33 Neachells Lane, a bungalow, and its flank wall including a single window would be thirteen metres away from the side (east) elevation of the proposed building, which includes a small window serving the reception at ground floor and two small fire escape door openings.
- 9.4 Other bungalows, also on Neachells Lane (Numbers 31 and 41 to 47) have their rear elevations and back gardens orientated towards the side (east) elevation of the building but would have a generous separation distance of 25 – 30 metres.
- 9.5 Existing views into and out of the site from the above mentioned properties, is currently largely prevented by the existing boundary fences, leylandii trees and other planting along the northern and eastern site boundaries.
- 9.6 There are however gaps in this landscape screen, most noticeably between the site and the rear of 47 Neachells Lane and to the side and front of 33 Neachells Lane. The applicants are proposing a new landscape bund, hedgerow and tree planting to fill these gaps. This would further mitigate the visual impact of the building on the amenity of surrounding residents.

- 9.7 The combination of the separation distances and improved landscaping would ensure that there would not be an overbearing impact or unacceptable loss of privacy or outlook for the occupants of the properties on Neachells Lane. The proposed new building and planting would be located to the west of these properties, and there may be some loss of evening sunlight, however, because of the design of the development proposals and separation distances, there would not be an unacceptably detrimental impact in terms of sunlight.
- 9.8 A planning condition can require a landscape management plan, which would secure the retention of the majority of the existing leylandii trees along the northern and eastern site boundaries, the provision, management and retention of new trees and a landscape bund.
- 9.9 The proposed warehouse / industrial uses would potentially operate throughout the day and night, seven days a week. Manufacturing processes, storage, vehicle movements, loading and unloading of vehicles can generate high levels of noise.
- 9.10 The dwellings whose occupiers would be most likely to be affected by noise and disturbance from the development are the bungalows in Neachells Lane. The nearest property, 33 Neachells Lane is only 13 metres to the east of the building.
- 9.11 The applicants have submitted a noise survey, which shows that the development can be carried out without there being an unacceptable impact on neighbour amenity. This is subject to noise mitigation measures, to be secured through planning conditions, and to include the provision of an acoustic barrier to be installed to the east of the service yard, delivery hours to be between 6am and 11pm Monday to Sunday, no unloading to be undertaken externally within the service yard at any time, restriction on the design and location of plant equipment, no external storage and provision of appropriate sound insulation for external walls and roofing.

10. Conclusion

- 10.1 The proposed development is appropriate and would result in significant job creation and investment. Subject to planning conditions as proposed, the impact on neighbour amenity would be acceptable and the proposal would be in accordance with the development plan.

11. Detail recommendation

- 11.1 Grant planning application 18/01362/FUL subject to the following conditions:
 - Construction management plan / Hours of construction
 - Finished floor levels
 - Drainage
 - Tree protection
 - Landscape management plan (to include tree retention, and new tree and hedgerow planting / provision of replacement tree planting whenever a tree dies)

- Submission of detail design and provision of a landscape bund
- Acoustic fence
- Recruitment and training
- Boundary treatments
- Provision of car parking and vehicle manoeuvring areas
- Transport management plan
- Bin storage
- Cycle storage
- Provision of Traffic Regulation Orders on Well lane
- External lighting
- Ecology
- Travel plan
- Minimum sound reduction performance for walls and roofing of the building to be 50dB Rw
- Noise attenuation for plant and machinery (including proposed location and sound levels)
- No additional window or door openings
- 10% renewable energy
- External materials
- Delivery hours to be between 6am and 11pm Monday to Sunday
- No unloading to be undertaken externally within the service yard at any time
- No external storage
- Contaminated land remediation

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

