



Satellite Industrial Park, Wolverhampton

Planning Statement

On behalf of

United UK 2021 C Propco 18 S.à r.l.

April 2024

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1. Executive Summary

- 1.1. This Planning Statement has been prepared to support a full planning application to redevelop the site and erect a new employment building to be operated as a builder's merchant (sui generis) at Unit 9, Satellite Industrial Park in Wednesfield.
- 1.2. The applicant and site owner (United UK 2021 C Propco 18 S.à r.l.) is part of Mileway Real Estate, the leading last mile logistics company in Europe and with over 720 employment units in the UK alone.
- 1.3. The proposed development would be occupied by a successful and established builder's merchant firm, who already has branches across the UK. The primary purpose, as a builder's merchant, is to supply and distribute building materials to the building trade industry.
- 1.4. The proposal represents the regeneration of previously developed land and a significant investment by the applicant and the proposed operator. The development will also result in the creation of new jobs, both during the construction and operation phases.
- 1.5. This Statement reviews the relevant planning issues and concludes that the proposal accords with the statutory development plan and that there are no other material considerations that weigh against granting approval for a new builder's merchant unit in the overall planning judgement.
- 1.6. We would therefore be grateful if permission could be granted without delay in accordance with paragraph 11c of the National Planning Policy Framework ['NPPF'].

2. Introduction

2.1. This Planning Statement has been prepared by P4 Planning Limited on behalf of United UK 2021 C Propco 18 S.à r.l. [‘the applicant’] to prepare and submit a planning application to the City of Wolverhampton Council [‘CoWC’] for the redevelopment of Unit 9, Satellite Industrial Park in Wednesfield.

2.2. The application seeks full planning permission to provide a new builder’s merchant and the description of the development is:

‘Redevelopment and erection of a new builder’s merchant with associated external storage, fencing, lighting, parking and access’

2.3. Builder’s merchants deal with all products required by the building industry and their primary purpose is to supply and distribute building materials to the building trade industry.

2.4. The proposal is to redevelop the site for a builder’s merchant consisting of a warehouse with an external concrete yard. Materials, tools and other goods are located, laid out and displayed strategically across the site, both indoor and outdoor.

2.5. This Planning Statement provides further details of the site and the wider context, details of the proposal, relevant planning policy review, and summarises the planning rationale and justification for the proposed development.

2.6. The application submission comprises a pack of documents derived from a review of the validation checklist and agreed through pre-application discussions with a planning officer at CoWC. It comprises the following documents:

- Planning application forms and fee
- Cover Letter
- Planning Statement
- Application drawing pack
- Design & Access Statement
- Transport Statement
- Travel Plan
- Drainage Strategy & Flood Risk Assessment
- Phase 1 Contamination Desk Study & Coal Mining Risk Assessment
- Phase 2 Ground Investigation Report

- Ecological Impact Assessment
- Softworks Planting Plan
- External Lighting Assessment
- BREEAM Pre-assessment
- Energy Assessment
- Utilities Strategy Report

3. Surroundings and Planning History

Site and surroundings

- 3.1. The application site comprises a rectangular parcel of land at Unit 9 Satellite Industrial Park in Wednesfield, a town 4km east of Wolverhampton. A site location plan is attached at **Appendix 1**.
- 3.2. The site measures 0.97ha and encompasses a single employment unit with an associated yard space as well as vehicle parking. The unit originally dates from the 1930s and is split with the western portion comprising a warehouse for operations and storage (Class B2/B8) and the eastern portion comprising ancillary offices (Class E(g)).
- 3.3. Although in an excellent and sustainable location, the unit is tired, dilapidated, and no longer suitable for modern operational requirements. The building has a low eaves height and a constrained yard space as can be seen in the photos contained within **Appendix 2**. As a result, the unit has failed to attract a tenant and has been left vacant since the previous tenant moved out in April 2022.
- 3.4. The existing building present on site will be demolished. Through planning application ref. 24/00396/PAOTH, CoWC confirmed prior approval for the demolition of Unit 9 was not required on 5 April 2024.
- 3.5. The building is sited towards the eastern boundary of the application site, with hardstanding yard space to its west and running around the north, east and south sides of the building, accommodating delivery vehicles for access and offloading.
- 3.6. To the east of the building there is a metal rail fence fronting Neachells Lane, behind which is a strip of car parking and a narrow grass verge and limited landscaping.
- 3.7. Access is achieved from Neachells Lane via an unadopted estate road that is within the applicant's ownership and within the application site. Two access points into the site run from the private estate road, with cars utilising the road to the front and larger delivery vehicles to the rear.
- 3.8. The whole application site lies within Flood Zone 1 and lies within an Air Quality Management Area ['AQMA'].

- 3.9. The site is also located within Satellite Industrial Park which is located off Wednesfield Way, a strategic road running into Wolverhampton City Centre, only 3.5km to the west. Junction 10 of the M6 is only 6km to the east.
- 3.10. There are a wide range of businesses found within area including similar businesses such as a timber merchant (Carvers Timber Engineering), building materials suppliers (UK Rubber Roofing), and appliance stores (GLM, Screw Fix). Whilst these businesses are not the traditional industrial use classes, they are still employment generating uses.
- 3.11. The site is in a sustainable location with four bus routes into and out of Wolverhampton City Centre within 600 meters (routes 59, 65, 9, and 529). Bus routes 59 and 529 run every 7 minutes, route 65 runs hourly, and route 9 run once every 45 minutes towards Wolverhampton City Centre.

Planning history

- 3.12. Historic maps dating back to approximately 1930 indicate the application site was historically in employment use. From a review of these maps, it appears that the original 1930s building was at some point split up to form vehicular access points and servicing areas for individual units, thus forming the current unit. The historic maps are contained within **Appendix 3**.
- 3.13. The earliest planning history of the site available online dates to 1977 (ref. A/C/0614/77 and A/C/1872/77), where two permissions were granted for the roofing over of two existing factory buildings. In 1978, an application for first floor extensions and modifications to an existing toilet were permitted (ref. A/C/0827/78).
- 3.14. In 1996, a change of use application was permitted for 'administration and parking of vehicles' at the southern portion of the site (ref. BC/0311). However, from the description of this proposal, it does not look like it has been implemented.
- 3.15. In 2018, permission was granted for the demolition of the existing office portion of the unit, and the refurbishment of the industrial element (ref. 18/00200/FUL). This has not been implemented.
- 3.16. Most recently on 5 April 2024, the council confirmed that prior approval (ref. 24/00396/PAOTH) was not required to demolish the existing building.

App ref.	Date	Proposal
A/C/0614/77	18.05.77	Covered roof between two existing buildings
A/C/1872/77	25.08.77	Roofing over an area between two existing blocks of factory buildings
A/C/0827/78	10.05.78	First floor extensions and modifications to existing toilet.
BC/0311	10.07.96	Change of use to the administration and parking of vehicles.
09/00674/FUL	23.09.09	Conversion of existing factory unit to become a Hazardous Waste Transfer facility.
18/00200/FUL	05.04.18	Formation of a new car park and servicing yard following the demolition of an existing ancillary office building, and the refurbishment of the remaining existing B8 industrial unit
24/00396/PAOTH	05.04.24	Demolition of existing vacant employment unit.

4. The Proposal

- 4.1. The application seeks full planning permission to redevelop the site and erect a modern employment unit to be used as a builder's merchant.
- 4.2. The development will deliver a new energy efficient unit that complies with the latest Building Regulations. Full details of the proposal can be found in the accompanying Design and Access Statement ['DAS'] prepared by AEW Architects.
- 4.3. The proposed unit will comprise elements of storage, distribution, trade counter, office, tool hire and ancillary retail.
- 4.4. The primary purpose of the unit will be to supply and distribute building materials to the building trade industry. Materials, tools and other goods will be stored and displayed across the site, both indoor and outdoor.
- 4.5. Tradesmen will be able to open an account which, depending on a number of factors such as credit rating and spending over time, will entitle them to substantial discounts. However, non-trade members of the public will not receive these discounts and will find that prices are comparable with other DIY outlets.
- 4.6. There are three main areas where stock is held:
 - External yard area;
 - Internal warehouse area and mezzanine; and
 - Trade floor and showroom.
- 4.7. The proposed gross internal area ['GIA'] of the warehouse building is 1,973m² with a mezzanine floor, measuring 579m², providing additional storage. The external yard area measures approximately 4,048m² and is an essential element to facilitate the operation of the builder's merchant.
- 4.8. Most of the products are to be stored outside within the yard, including bricks, tiles, timber, sand, pipes and stone. Bulky goods such as bagged sand and aggregate that are not affected by the weather are also stored externally. These materials are stored either in racking, up to 5m high, or in the case of bricks, stacked on top of each other, up to 4m high.
- 4.9. The yard area is strategically laid out to enable easy access to all goods whilst ensuring that the health and safety of staff and customers is not compromised.

- 4.10. Materials that are less weather-tolerant such as plumbing and heating goods will be stored internally in the warehouse and mezzanine floor. Other smaller products like hand tools, nails, screws etc. are kept and displayed internally in a separate area.
- 4.11. An important aim of the builder's merchant is to provide their customers with what they need. This includes a tool hire service with a particular emphasis on heavier equipment such as mixers and scaffolding. This service is particularly important to support SME builders and contractors who are not in a position to purchase or store expensive and specialist equipment.
- 4.12. The proposed development includes 29 car parking spaces, of which two are disabled spaces and seven are staff parking. There are seven EV spaces, three of which are active and the remaining four spaces are passive. The proposal also includes eight cycle spaces.

Day-to-day operation

- 4.13. The proposed opening times are as follows:
- Monday to Friday: 6:30am – 7:30pm
 - Saturday: 6:30am – 6:00pm
 - Sunday: 7:00am – 5:00pm (showroom element only)
- 4.14. Unless prohibited by national legislation, branches are open on bank holidays (except Christmas and New Year). All staff will arrive half an hour prior to the opening hours.
- 4.15. Customers could visit the premises to pick up small products or place an order for materials directly from the site, but they are more likely to place an order by telephone or email for delivery to them.
- 4.16. The intended operator offer free delivery, regardless of order size. This provides an incentive for customers to not visit the premises, thereby reducing travel and demand for parking.
- 4.17. Although the business opens at 6:30am, delivery vehicles will have been loaded the previous day so that they can leave as soon as the yard opens. Delivery vehicles will not need to return until late morning.
- 4.18. Large builders often require materials in large quantities, so the merchant will usually order directly from the manufacturer and have the materials delivered straight to the site. The remaining materials will be collected from the site by

customers in their own vehicles, most of which are cars, pick-ups or small vans that can be accommodated within a standard parking bay. Larger vehicles can be accommodated in the external yard area.

Waste management

- 4.19. A builder's merchant generates very little waste because most materials are delivered unpackaged. For example, bricks and tiles are delivered, stored and taken directly to the customer on pallets. Pallets have a recycled value and can be sold prior to being re-used. Other materials such as timber and pipes are brought to the site on a lorry before being unloaded and stored on racking. These materials will leave the site in the same way they arrived.
- 4.20. Materials like bagged sand and aggregate are stored in 1-tonne 'builders bags'. The material is bagged offsite in a bagging plant at the source quarry before being brought to the merchant and stored in stacks of two bags, approximately 2m high. The bags are never filled to the top, so spillage and wind blow are unlikely. Under no circumstances is loose sand or aggregate stored at the merchant.
- 4.21. Materials in sealed bags such as cement are brought to the site in pallets and off-loaded as such. They are either taken to customers on a pallet or, if the bag is broken, the pallet is returned to the supplier.
- 4.22. The warehouse will contain two compactors, one for cardboard and the other for plastic. All waste from the development is stored onsite in containers and are removed by a contractor.

Pre-application engagement

- 4.23. In April 2022, the applicant had pre-application meeting with a senior planning officer at CoWC for a speculative built employment unit suitable to accommodate use classes E(g) (formerly B1), B2 and B8. The development would be built out before marketing it to prospective occupiers.
- 4.24. Due to rising construction costs and uncertainty in occupation, the scheme became unviable. Therefore, the future of the site was uncertain. Shortly afterwards, an interest for a builder's merchant came forward which justified the need for redeveloping the site.
- 4.25. Pre-application discussions were subsequently held again with the council where the use class of this latest proposal was agreed. The senior planning officer also provided advice on the scope of submission.

5. Relevant Planning Policy

- 5.1. This section summarises the key planning policies in the local development plan and relevant guidance in the NPPF that is applicable to the proposal.
- 5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory Development Plan in this case comprises:
 - Black Country Core Strategy ['BCCS'] (2011)
 - Saved Policies of the Wolverhampton Unitary Development Plan ['UDP'] (2006)
 - Bilston Corridor Area Action Plan ['AAP'] (2014)
 - Stafford Road Corridor AAP (2014)
 - Wolverhampton City Centre AAP (2016)
- 5.3. The emerging Wolverhampton Local Plan, NPPF (2023); the National Planning Practice Guidance ['NPPG']; the National Design Guide (2021) and supplementary planning documents ['SPD'] are also material considerations.

Development plan

- 5.4. According to the consolidated up-to-date Policies Maps, the site and the wider Satellite Industrial Park and employment area (a total of 142.13ha) are allocated as an area '*retained for employment*', under reference UDP BCCSAPP2.
- 5.5. The site does not fall in an area covered by an AAP or Neighbourhood Plan. As such, the Bilston Corridor AAP, Stafford Road Corridor AAP and Wolverhampton City Centre AAP are not relevant to the application.

Black Country Core Strategy (2011)

- 5.6. The Growth Network is identified by the similarly titled Policy CS1 as 'the focus activity for all the Spatial Objectives... in order to bring about the scale of change necessary to achieve growth and regeneration in the most sustainable manner.' As part of this, it states that (inter alia) the common role of regeneration corridors is to:
 - '*Provide a sustainable mix of modern, strategic high quality employment land and new residential communities well supported by community services and local shops, set within and linked by comprehensive*

networks of attractive green infrastructure with cycling and pedestrian routes;

- *Be the focus for existing, new and improved public transport routes and hubs which will maximise use of the public transport network by residents, workers and visitors;*
- *Create strong links with the surrounding communities and the network of centres and spread the regeneration benefits by knitting together old and new to create a richer, varied and integrated sense of place’.*

5.7. Table 1 of in the justification text of Policy CS1 shows that the indicative distribution of 91% of employment growth will be provided in the ‘Growth Network’ and ‘Regeneration Corridors’. Specifically on Regeneration Corridors, the policy aims to provide 1,564ha of strategic high quality employment land and retain 1,155ha of local employment land.

5.8. The site is located in Wednesfield which falls within Regeneration Corridor 6 [‘RC6’]: Wednesfield – Willenhall – Darlaston. The policy explains that RC6:

‘... forms one of the main gateways to the Black Country, leading from Junction 10 of the M6. This corridor will play a major part in providing first class quality employment land for knowledge-led manufacturing and logistics businesses serving the regional economy, attracting and providing sustainable jobs for Black Country residents.’

5.9. Policy CSP4 (place making) requires all development to demonstrate a clear understanding of the *‘local distinctiveness of the area and show how proposals make a positive contribution to place-making and environmental improvement.’*

5.10. Policy EMP1, relating to economic growth and jobs, states that the council aims to provide at least 75,000 industrial and warehouse jobs in the Black Country region by 2026. Paragraph 4.5 advises that, in order to achieve the county’s overarching economic goals, the existing employment land stock should be maintained.

5.11. The application site lies within a Strategic Employment Allocation (policy EMP2). The policy identifies that some employment generating non Class B uses will also be permitted in these areas, *‘where they can be shown to support, maintain or enhance the business and employment function of the area’*. The policy also states that the council *‘will encourage high quality development / redevelopment and discourage development that prejudices quality, dilutes employment uses or deters investment.’*

- 5.12. The supporting justification sets out that strategic employment areas are considered essential to the long-term success of the Black Country's economy and have potential to attract knowledge-based growth sector businesses, whose success will be critical to the delivery of the Black Country's economic ambitions.
- 5.13. Paragraph 4.7 identifies that Strategic Employment Areas are so designated because they benefit from certain characteristics. They are highly accessible to the strategic highway network and have good public transport accessibility. They have a critical mass of active industrial and logistics uses and premises that are (or should be) well suited to the needs of modern industry. They should be attractive to national and / or international investment.
- 5.14. Policy EMP5 (improving access to the labour market) states that the council will negotiate with developers to secure initiatives and/or contributions towards the recruitment and training of local people, in particular disadvantaged groups, to improve their access to job opportunities.
- 5.15. Policy TRAN2 (managing transport impacts of new development) states that the council will not support proposals that *'are likely to have significant transport implications unless accompanied by proposals to provide an acceptable level of accessibility and safety by all modes of transport to and from all parts of the development'*. The policy also requires applications to be supported by a Transport Assessment and Travel Plan.
- 5.16. Policy TRAN5 relates to travel and travel choices, setting out that parking provisions should be consistent to the maximum parking standards set out within the supplementary planning document. The council does not set out standards for car parking provision for the proposed use, and 5% of all parking spaces should be disabled.
- 5.17. Policy ENV3, relating to design quality, requires design proposals to be of high quality and take account of local context. This should be demonstrated through the submission of a Design and Access Statement.
- 5.18. Policy ENV5 (flood risk, sustainable drainage system ['SUDs'] and urban heat island) seeks to future-proof developments in light of climate change. The policy requires development to incorporate SUDs to minimise surface water run-off and be accompanied by an onsite flood risk assessment.
- 5.19. Policy ENV7 (renewable energy) requires all major non-residential developments to incorporate generation of energy from renewable sources sufficient to off-set at least 10% of the estimated residual energy demand of the development.

- 5.20. Policy ENV8 (air quality) Through pre-application conversations with the council, it has been confirmed that an air quality assessment is not required.
- 5.21. Policy WM5 (resource management and new development) requires major developments to *'include supporting information explaining what material resources will be used in the development, and how and where the waste generated by the development will be managed.'*

Saved Policies of the Wolverhampton UDP (2006)

- 5.22. Policy HE1 (preservation of local character and distinctiveness) requires all development to take into account the local character of the area in which they are to be located.
- 5.23. Policy D2 (design statement) requires developments to be accompanied by a *'written statement justifying the proposed design in relation to the site and its wider context.'*
- 5.24. Policy D6 (townscape and landscape) states that *'proposals should create or reinforce local distinctiveness by comprising site-specific design solutions that respond explicitly to the site and its context.'*
- 5.25. Policy D7 (scale – height) states that the height of developments should relate positively to its surroundings and, *inter alia*, *'be compatible with the general pattern of heights in an area.'*
- 5.26. Policy D8 (scale – Mass) states that the scale of proposal should relate positively to its surroundings and ensure that it does not adversely affect the amenities of neighbouring properties.
- 5.27. Policy D9 (appearance) requires the appearance of the development to make a positive contribution to the locality through its form and detailing. Developers are also expected to provide details of external materials and finishes of the development.
- 5.28. Policy EP9 (sustainable drainage for development) states that *'development will only be permitted here adequate provision is made for the drainage of foul and surface water.'*
- 5.29. Policy N7 (the urban forest) states that the council will seek to preserve and enhance the urban forest by *'requiring, where appropriate, the replacement of trees removed with council consent, with trees of a size and species specified by the council.'*

5.30. Policy AM12 (parking and servicing provision) confirms that the council will be flexible in the application of parking standards. However, the *'provision of maximum levels of car parking, minimum levels of disabled car parking and of cycle parking, motorcycle parking and servicing for new developments should be provided in accordance with the details of this Policy.'* It should also be noted that parking standards for B8 (storage and distribution) and sui generis use classes are not provided.

Other material considerations

National Planning Policy Framework (NPPF)

- 5.31. National planning policy is set out within the NPPF (2023), which is supplemented by the NPPG.
- 5.32. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 8), through the three overarching objectives of economic, social and environmental sustainability.
- 5.33. At the heart of the NPPF is a presumption in favour of sustainable development through both plan-making and decision-taking. Paragraph 11 explains that for decision-taking, this means that proposals that accord with an up-to-date development plan should be approved without delay.
- 5.34. Section 6 of the NPPF provides guidance on building a strong and competitive economy. Paragraph 86 encourages planning policies and decisions that help create the conditions in which businesses can invest, expand and adapt. It states that *'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.'*
- 5.35. Expanding further, paragraph 87 highlights the importance of recognising and addressing specific locational requirements of different sectors, including making provision for *'clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations'*.
- 5.36. Section 9 considers promoting sustainable transport and in seeking to do so, Paragraph 108 states that development proposals should consider transport issues from the earliest stages to ensure that potential impacts can be addressed so that opportunities for avoiding and mitigating any adverse effects can be included.

- 5.37. Paragraph 109 sets out that significant development should be focused in areas that are sustainable through limiting the need to travel and by offering a choice of transport modes.
- 5.38. Paragraph 115 says that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 5.39. Section 11 relates to making effective use of land in meeting the need for homes and other uses. Paragraph 124 sets out that planning policies and decisions should (inter alia) *'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.'*
- 5.40. Section 12 of the NPPF places weight on achieving well-designed places. Paragraph 135 ensures that developments, amongst other factors,;
- *'Will function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development;'*
 - *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - *create places that are safe, inclusive, and which promote health and well-being, with a high standard of amenity for existing and future users.'*
- 5.41. Section 14 highlights the importance of supporting the reduction of emissions and encouraging the use of renewable and low carbon energy. Specifically, paragraph 162 asks that new development should be planned in a way that: avoids increased vulnerability to the impacts arising from climate change and can help reduce greenhouse gas emissions through its location and design.

Planning Practice Guidance

- 5.42. The NPPG supplements the NPPF and provides guidance on how planning can take account of the impact of new development on various categories. The categories listed below are of relevance:
- Climate change
 - Effective use of land

Climate change

- 5.43. The NPPG on climate change provides guidance on how developers are able to identify suitable mitigation and adaption measures to address the impacts of climate change.

5.44. Mitigation measures include reducing carbon emissions by reducing the need to travel and providing for sustainable transport; providing opportunities for renewable and low carbon energy technologies; and promoting low carbon design approaches such as passive solar design to reduce energy consumption in buildings.

Effective use of land

5.45. In making effective use of land, the guidance advises that to support more effective use of land, including planning for higher density development, it is important to take into account the following factors:

- Accessibility measures such as distances and travel times to key facilities, including public transport stops or hubs.
- Characterisation studies and design strategies, dealing with issues such as urban form, historic character, building typologies, prevailing sunlight and daylight levels, green infrastructure and amenity space.
- Environmental and infrastructure assessments, such as the capacity of services and presence of environmental risks.
- Assessments of market and site viability

Supplementary Planning Document

5.46. Supplementary planning documents (SPDs) provide guidance on policies in the adopted Development Plan in Wolverhampton. Of relevance to this planning application are the Black Country Air Quality ['BCAQ'] SPD adopted in October 2016 and the Black Country Ultra Low Emission Vehicle ['ULEV'] Strategy adopted in May 2020.

5.47. In minimising unacceptable air quality impacts through mitigation and compensation, paragraph 5.6 of the BCAQ SPD states that 5% of parking provision needs to have electric vehicle ['EV'] chargers for all non-residential developments.

5.48. In May 2020, the Black Country ULEV Strategy increased the requirement, stating that a minimum of 20% of car parking spaces for commercial developments should be accompanied by passive EV chargers.

Emerging planning policy guidance

Black Country Plan

5.49. CoWC was previously working alongside three other local planning authorities to jointly prepare an updated strategic plan called the 'Black Country Plan' which

would replace the BCCS, covering the plan period until 2039. However, in October 2022, work ceased on the Black Country Plan and all four councils decided to prepare separate local plans.

- 5.50. Within the emerging Black Country Plan, the site is to remain within a Strategic Employment Allocation under emerging Policy EMP2. The policy states that strategic employment areas will be safeguarded primarily for manufacturing and logistics uses. Ancillary employment-generating non-Class E(g)(ii), E(g)(iii), and Class B2 and B8 uses will be supported where they can maintain or enhance the business and employment function and attractiveness of the area.

Wolverhampton Local Plan

- 5.51. CoWC is now in the process of preparing a new local plan which will cover the plan period until 2042. The emerging Wolverhampton Local Plan is still in the early stages of the local plan preparation process with the Issues and Preferred Options Consultation (Regulation 18) stage currently ongoing until 10 April 2024.

6. Key Planning Consideration

- 6.1. We set out the key planning considerations arising from the proposed development and demonstrate why the proposed development accords with the statutory development plan.

Principle of development

- 6.2. The proposed development is for a builder's merchant which comprises the redevelopment of the existing, dilapidated employment unit and erection of a warehouse. Through pre-application discussions, the council has confirmed that the proposed builder's merchant would be a sui generis use.
- 6.3. According to the adopted Policies Map, the site is located in an area 'retained for employment'. Within the BCCS, the site falls within RC6 where employment growth will be directed to as set out in Policy CS1.
- 6.4. The site is also situated in a Strategic High Quality Employment Area (Policy EMP2) where:
- '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.'*
- 6.5. A builder's merchant comprises storage, distribution, trade counter, offices, tool hire and ancillary retail. It is important to highlight that the proposed builder's merchant use is agreed to fall within a sui generis use, it is not a retail use. Although the proposed use is sui generis, the operations of the proposed builder's merchant, as explained in Section 4, are more akin to a B8 use.
- 6.6. The purpose of a builder's merchant is to supply and distribute building materials, primarily to the building trade industry. Large amount of the business of any builder's merchant is not to visiting public or trades people, particularly as most of the orders received are by telephone or email and delivered without the customer visiting the site. The merchant holds the materials pending delivery, rather than displaying goods for sale.
- 6.7. As set out in paragraph 8 of the NPPF, a sustainable development is achieved by meeting three overarching objectives: economic, social and environmental.

- 6.8. Government policies strongly encourage the redevelopment of previously developed land. The site has been vacant since April 2022, adds no economic value to the vicinity and detracts from the land value in its current form. Due to viability, the site would have been left derelict if the interest for a builder's merchant had not come forward. The redevelopment of the site will not only bring an existing derelict brownfield site in a sustainable location back into use but also represents a significant investment by both the applicant and the proposed operator.
- 6.9. The development proposed will create 25 new jobs at various levels across a range of skills including management, administration, sales, warehouse, yard and driving. The jobs will be staffed by local people across a variety of socio economic groups, assisting in delivering an inclusive society. Additional jobs will also be created during the demolition and construction phases.
- 6.10. The scheme deliver a modern and energy efficient building that incorporates low or zero carbon technology such as Photovoltaic ['PV'] panels and EV chargers. The scheme also includes a comprehensive landscaping scheme which includes the planting of new trees.
- 6.11. Overall, the proposal represents an efficient use of land and a sustainable development which is in accordance and strongly supported by the NPPF.
- 6.12. On this basis, it has been demonstrated that the proposed development is in accordance with Policies CS1, EMP2 and EMP5 of the Development Plan, as well as paragraphs 85, 87 and 124 of the NPPF (2023).

Technical considerations

Transport and highways

- 6.13. The application is supported by a Transport Statement ['TS'] prepared by Andrew Moseley Associates ['AMA'].
- 6.14. The report confirms that the site is in a sustainable location with good pedestrian, cycle and vehicle accessibility. The site is also well-accessed by public transport with bus stops within ready walking distance on Neachells Lane.
- 6.15. In terms of access, the report confirms that the site will *'take access from the private service road to the south, which connects with Neachells Lane to the east of the site via an existing vehicle crossover.'* However, the access will be improved to facilitate heavy goods vehicles ['HGV'] accessing the site.

- 6.16. The report also confirms that *'where possible, level access will be provided from the site entrance to the main building entrances to facilitate those with disabilities.'*
- 6.17. With regard to parking, the TS states that *'29 parking spaces are proposed to serve the development, including two accessible bays. Three spaces will be provided with active charging infrastructure, and a further four spaces with passive infrastructure which can be brought online when demand dictates. Two spaces close to the site entrance have been dedicated for use by car sharers.'* The development also provide eight cycle parking in a secured, covered facility.
- 6.18. As the proposed development falls under sui generis use, no parking standards are provided however, CoWC will consider the provision based on a number of factors as set out in the TS, including:
- *'the control of on-street parking in the area;*
 - *The development's exact nature and likely use;*
 - *Its geographical location;*
 - *The standard of the surrounding road network and the traffic and parking conditions on it; and*
 - *How accessible the development is using other methods of transport, including public transport, walking or cycling.'*
- 6.19. Based on the above analysis, the TS concludes that the level of parking provided is suitable to accommodate the anticipated level of demand on site without any overspill onto the surrounding industrial estate.
- 6.20. In terms of traffic generation, the report confirms that the *'development is expected to generate 11 two-way trips in the morning hour and 2 two-way trips in the evening peak hour. This is expected to be a reduction when compared with the existing situation, and therefore the proposals are not expected to have a material impact on the operation of the local highway network.'*
- 6.21. Overall, therefore, the TS concludes that there is no transport or highway related reason to withhold planning permission.
- 6.22. AMA has also produced a Travel Plan ['TP'] which is submitted as part of the application. The document reviews existing transport facilities at the development site and identifies a range of measures to reduce overall car usage and promote the use of sustainable transport modes.

- 6.23. The TP identified a number of measures including the provision of sustainable travel information and EV charging facilities, coordination of deliveries and route planning, and encouraging car sharing. The report also set out clear targets and a monitoring regime to ensure that its aims and objectives are met.
- 6.24. On this basis, the proposed development accords with Policies TRAN2, TRAN5 and AM12 of the Development Plan.

Design and energy

- 6.25. The proposed building has been designed to a high standard using high quality materials that are contemporary. The walls are grey metal cladding which will be vertically laid, fixed to cladding rails. The entrance bi-fold doors will be double glazed doors with PPC aluminium frames. The yard space will be concrete and has been designed to accord with the builder's merchant operation.
- 6.26. The ancillary office area within the building has been designed to comply with Part L2a 2013 of the Building Regulations, utilising enhanced envelope insulation and efficient building services.
- 6.27. The development has been designed to secure the objective of meeting Building Research Establishment Environmental Assessment Method ['BREEAM'] Very Good standards.
- 6.28. Roof lights are included to allow natural light to penetrate the building, reducing artificial light and energy consumption. Furthermore, materials have been chosen based on their high quality, robust nature and low maintenance requirements. PV panels will also be installed on the roof, providing an energy offset of 38.2% as demonstrated in the accompany Energy Assessment prepared by Hydrock.
- 6.29. Further details relating to the design of the development can be found within the submitted Design and Access Statement.
- 6.30. Overall, the proposed development complies with Policies CSP4, ENV3, HE1, D2 and D6 to D9 of the Development Plan.

Ground conditions

- 6.31. A Phase 1 Desk Top Study and Coal Mining Risk Assessment Report has been prepared to support the application.

- 6.32. The report sets out that the site and its surroundings contained historical engineering works, railway land and mining activities which are significant contaminative land uses.
- 6.33. As part of the preliminary risk assessment, a coal mining risk assessment was also undertaken. The report states that there are probable unrecorded shallow workings below the site. The report states:

'The CA report records an opencast mine licence area c.325m to the northwest of the site and an unlicensed opencast site c.424m to the west southwest of the site. There are no spine roads recoded at shallow depth or mine entries recoded on or within c.100m of the site. The report concludes that there are no geological faults, fissures or break lines recorded and no mine gas recorded within c.500m of the site boundary.'

- 6.34. In light of the findings, investigation works in the form of rotary boreholes have been recommended to mitigate the risk from potential future surface instability issues.
- 6.35. The report *'recommended that a programme of Phase 2: Ground Investigation (intrusive investigation) works are completed for this site to provide an assessment of the geo-environmental characteristics of the site.'* These recommended intrusive investigation works would need to be completed prior to any future redevelopment.
- 6.36. Subject to the implementation of the recommended investigations, the ground conditions are not prohibitive to development and do not comprise a reason to withhold planning permission. As such, the proposal complies with paragraphs 180, 189 and 190 of the NPPF.

Flooding and drainage

- 6.37. A Drainage Strategy and Flood Risk Assessment prepared by Adept Civil and Structural Consulting Engineers accompanies the planning application in support of the proposed scheme.
- 6.38. The report confirms that the site is located in Flood Zone 1 and has low risk of flooding from all other flood risk sources. The report also confirmed that the proposed development is classified as a 'Less Vulnerable' use in line with Table 2 of the NPPF.

- 6.39. In terms of drainage, soakaways are not suitable due to the ground conditions and there are no nearby water courses. Consequently, the report states that discharge to a surface water sewer is the next viable option.
- 6.40. The total impermeable area is 0.72 ha and taking into account the proposed climate change factor of 40%, an on-site geocellular attenuation tank with a capacity of 228m³ located in the external yard area to the northwest of the site has been proposed.
- 6.41. Turning to foul water, the proposals include two connections to the same foul water sewer which is believed to be located at the north of the site, within the site boundary. The report explains that *'the eastern most connection will pick up foul water drainage from the industrial unit. The western most connection will pick up a gully from bin store should this be required.'*
- 6.42. On this basis, the proposal complies with Policies ENV5 and EP9 of the Development Plan as well as paragraph 165 of the NPPF.

Ecology, biodiversity and landscaping

- 6.43. An Ecological Impact Assessment has been prepared by Delta Simons in support of this application.
- 6.44. Due to the site's location and the lack of suitable habitat, the report states that *'many protected or notable species are considered likely absent from the site (including amphibians, reptiles and badgers).'*
- 6.45. The report confirms that the site has low bat roosting potential with two potential roost features identified. A nocturnal survey was undertaken in June 2022 and no roosting bats were identified. As such, very low bat activity was recorded. An updated walkover, undertaken in March 2024, recorded the *'building to have deteriorated as a result of unauthorised access, however, the overall suitability remained low, and considering the setting of the site, the risk of bats colonising since the survey in 2022 is considered to be low.'*
- 6.46. Due to the site's location and poor suitability of habitats on-site for bats, the report concludes that the site is unlikely to be of notable value for bats. Therefore the effects of the proposed development are of neutral significance and no mitigation is required.
- 6.47. With regard to nesting birds, the report notes that the site provides limited resources for bird, *'with the introduced shrub and scattered trees providing limited suitable nesting habitat for common urban bird species.'* As mitigation,

the report recommends vegetation clearance and building demolition to be undertaken outside of the main nesting bird season. Should that not be possible, an Ecological Watching Brief will have to be maintained to ensure that no nesting birds are adversely affected. The report also recommends that any landscaping scheme proposed should include tree planting on the eastern boundary.

- 6.48. In light of the recommendations, FPCR has produced a planting plan which also includes a planting schedule. Three of the existing trees on site will be retained and these will be complemented by an additional five new trees. Biodiversity on the site will also be enhanced by a mixed native hedgerow and an area of ornamental planting close to the site entrance off Neachells Lane and the use of a flowering lawn mix.
- 6.49. Based on the proposed planting plant, the level of biodiversity net gain was calculated using the statutory Biodiversity Metric. The report confirms that the proposed development will be able to achieve a required 10% biodiversity net gain.
- 6.50. On this basis, the proposal is considered to comply with Policy N7 of the Development Plan as well as paragraph 180 of the NPPF.

7. Conclusion

- 7.1. This application seeks planning permission to redevelop the site and erect a new builder's merchant unit.
- 7.2. The proposal represents a welcome investment in Satellite Industrial Park and will deliver the following key benefits:
 - Reuse of previously developed derelict land in a highly sustainable location;
 - Delivery of a new modern employment building that is energy efficient and meets the latest Building Regulations;
 - Creation of new employment at various levels across a range of socio economic groups; and
 - Delivery of a new and improved landscaping throughout the site, incorporating new tree planting thereby improving the visual amenity of the locality.
- 7.3. The proposed development adopts the principles of sustainable development in relation to economic, social and environmental objectives. The proposal accords with national and local policy and there are no material considerations that weigh against the proposal.
- 7.4. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act, we would be grateful if the application could therefore be approved without delay.

Appendices

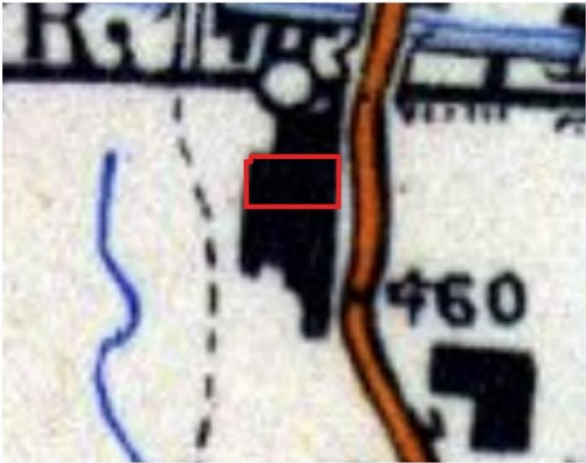
Appendix 1: Site Location Plan

Appendix 2: Site Photos





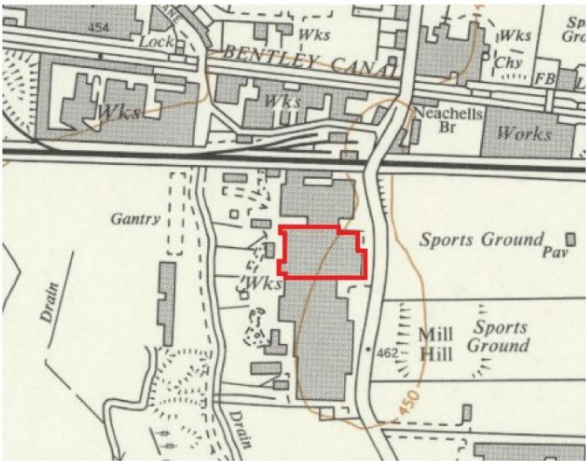
Appendix 3: Historic Maps



1920-1940



1927-1961



1949-1970



Current

