

DUDLEY METROPOLITAN BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 13TH MAY 2013

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT – DEVELOPMENT CONTROL PERFORMANCE

Purpose of Report

1. To inform Committee of the decisions made on applications determined under 'delegated powers' by the Director of the Urban Environment. This report also includes decisions on appeals made against the Councils' decision on planning applications as set out in the attached appendices

Background

2. Planning applications submitted to the Council are either considered by the Development Control Committee or delegated to the Director of the Urban Environment for decision in line with the constitution.
3. Applications are normally referred to the Development Control Committee if there is a substantial objection from local residents or statutory consultees, the proposal is in conflict with the development plan; or where the Committee Chairman or Ward Councillor requests (on sound planning grounds) that the application be referred to committee. Where none of the above criteria apply the decision making can be delegated. Appendix A lists all the applications determined under delegated authority since the last committee date.
4. When a planning application is determined; either to refuse or approve subject to conditions the applicant does not agree with, the applicant can submit an appeal to the Planning Inspectorate. The Inspectorate then independently re-assesses the planning proposal and can decide to uphold the Council's decision or to overturn it and allow the appeal. Appendix B lists all the appeals decided since the last committee date.

Finance

5. There are no direct financial consequences arising from this report, and the costs of determining planning applications are covered by existing budgets. However under the appeal process claims for costs can be made, and if the Inspectorate is satisfied that the behaviour of a party is unreasonable full or partial costs can be awarded. In the event that an award of costs went against the Local Planning Authority it would also have to be met through the existing budget resources.

Law

6. Sections 70-76, 78, 195, 196 of the Town and Country Planning Act, Section 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990, Regulation 17 of the Town and Country Planning (Control of Advertisements England) Regulations 2007.

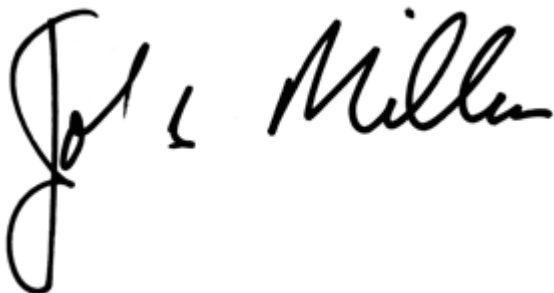
Decisions are made in line with Dudley Metropolitan Borough Council Constitution.

Equality Impact

7. The proposals contained within this report takes into account the Council's equal opportunities policies and assist with the Council Plan's objective of achieving a fairer society.

Recommendation

8. That the Committee note the contents of this report.



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J. B. MILLAR
DIRECTOR OF THE URBAN ENVIRONMENT

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List of Background Papers

Appendix A -= Delegated Report
Appendix B – Appeals Report

Appendix A- The following table shows 'Delegated' Applications in the period 02.03.13 – 22.04.13. These include decisions made by officer delegation and delegated decisions made in consultation with the Chair (**Highlighted in Bold**)

<u>Application Number</u>	<u>Decision</u>	<u>Decision Date</u>	<u>Development Description</u>	<u>Location</u>
P07/0502/C1	Granted	09/04/2013	Discharge of conditions 1 - 32 (inclusive)	Land To Rear Of, Cradley Road, Cradley Heath, West Midlands
P09/1533/C1	Granted	02/04/2013	Discharge of conditions 1, 2 and 3.	Swindon Road/Kidderminster Road, Wall Heath, Kingswinford, West Midlands
P09/1710/E1	Granted	10/04/2013	Extension of time of previously approved application P09/1710 (Demolition of existing)	Beaumoris, Green Lane, Kingswinford, DY6 7QH
P10/1292/A3	Granted	03/04/2013	Non material amendment to previous approved application P10/1292	Plots 18, 34, 36, 41, 51, 55, 57, 64, 68 And 1 - 17 Incl., Land Off Coombs Road, Halesowen, West Midlands
P11/1118/C1	Granted	18/04/2013	Discharge of Conditions 4, 5, 9, 10, 14, 15, 16, 18, 20, 21 & 22	Former Gas Works, Constitution Hill, Dudley, West Midlands
P12/0645/C1	Granted	08/04/2013	Discharge of conditions 3, 5, 7 & 8	Land Adjacent To, 33, Middleway Avenue, Wordsley, Stourbridge, West Midlands, DY8 5NB
P12/0680/C2	Granted	10/04/2013	Discharge of conditions 3, 4, 5, 6, 7, 8, 15, 16, 21, 23, 25 and 26	King Edward Vi College, Lower High Street, Stourbridge, West Midlands, DY8 1TD
P12/0888/C1	Granted	09/04/2013	Discharge of conditions 2, 4, 5, 6, 8, 9 and 11	Brecon View Housing Development, Holloway Street, Lower Gornal, DY3
P12/1032/C1	Granted	08/04/2013	Discharge of conditions 3, 4, 5, 6, 7, 8, 11, 12, 13, 14 & 15	22, Summer Street, Kingswinford, DY6 9NA
P12/1049/A1	Granted	15/04/2013	Non-material amendment to previously approved application P12/1049	Land at junction of, Castlegate Drive and Castlegate Way, Castlegate Business Park, Dudley, West Midlands
P12/1231	Granted	04/04/2013	Re-position of boundary fencing (retrospective). Erection of outbuilding in rear garden	9, Fairfield Road, Hurst Green, Halesowen, B62 9HZ
P12/1280/C1	Granted	12/04/2013	Discharge of condition 3	5a, Enville Road, Wall Heath, Kingswinford, Dy6 0jt
P12/1439/A1	Granted	05/04/2013	Non material amendment to previous approved application P12/1439	82, Ivyhouse Lane, Coseley, Bilston, West Midlands, Wv14 9la
P12/1521/C1	Granted	08/04/2013	Discharge of conditions 17 and 31	Former Cox Hire Ltd, Land at Birmingham Street, Stourbridge, West Midlands, DY8 1JR

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P12/1579	Granted	02/04/2013	Change of use from vacant retail shop (A1) to residential (C3)	76, High Street, Quarry Bank, Brierley Hill, DY5 2AD
P13/0056	Granted	18/04/2013	Erection of 6 no. dwellings with associated car parking and amenity provision	Land Between 11 And 27 Sanders Close, Dudley, DY2 8DP
P13/0084	Refused	03/04/2013	Change of use from vacant public house with flat above to Hot Food Takeaway/cafe	White Lion Inn, 2, St Peters Road, Netherton, Dudley, DY2 8HS
P13/0086	Granted	04/04/2013	Detached garage and store in rear garden.	416, Himley Road, Lower Gornal, Dudley, DY3 2TS
P13/0087	Granted	04/04/2013	Variation of condition 1 of planning approval P12/0092 to allow for amendments to layout	College Campus, Dudley College, Castle View Campus, The Parade, Dudley, DY1 3HR
P13/0098	Granted	03/04/2013	Rear conservatory	4, Carisbrooke Drive, Halesowen, B62 8SL
P13/0110	Granted	02/04/2013	Display 2 no. internally illuminated fascia signs and 1 no internally illuminated sign	20, Albion Street, Brierley Hill, West Midlands
P13/0119	Granted	10/04/2013	Single storey side/rear extension	Magnolia House, Colman Hill, Cradley, Halesowen, B63 2AJ
P13/0122	Granted	17/04/2013	Two storey rear extension to create 2 No. One bedroom flats.	20, High Street, Lye, Stourbridge, DY9 8LB
P13/0129	Granted	11/04/2013	Single storey side extension	57, Beckman Road, Pedmore, Stourbridge, DY9 0TZ
P13/0132	Granted	02/04/2013	Change of use to class A1, A2, or A3	Building Society, 1, Foster Street, Stourbridge, Stourbridge, DY8 1EL
P13/0139	Granted	02/04/2013	Change of use of ground floor from retail (A1) to flat (C3) with elevational changes	115, New Street, Quarry Bank, Brierley Hill, DY5 2BB
P13/0141	Refused	02/04/2013	Two storey side and single storey rear extension	6, Blossomfield Close, Kingswinford, DY6 7DS
P13/0142	Granted	02/04/2013	Single storey front and rear extension. Alterations to roof shape to enlarge roof space	71, Sandhurst Avenue, Stourbridge, DY9 0XL

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P13/0147	Granted	10/04/2013	Change of use from library (D1) to retail pharmacy (A1) (retrospective)	2, Bush Road, Netherton, Dudley, DY2 0LY
P13/0154	Granted	18/04/2013	Display of various illuminated and non illuminated signs.	Lloyds TSB Bank Plc, 51-53, High Street, Brierley Hill, DY5 3AD
P13/0160	Granted	11/04/2013	Single storey rear extension with roof alterations. Creation of habitable room	59, Norton Road, Norton, Stourbridge, DY8 2TB
P13/0163	Refused	12/04/2013	Erection of 1 no. dwelling	Land Adj To 1, New Street, Wordsley, Stourbridge, West Midlands, DY8 5RX
P13/0165	Granted	05/04/2013	Single storey rear extension	13, Lynwood Avenue, Wall Heath, Kingswinford, DY6 9AJ
P13/0169	Granted	08/04/2013	Single storey extension to both sides, raise roof height to create granny flat	26, Troutbeck Drive, Brierley Hill, DY5 3YU
P13/0172	Refused	08/04/2013	Two storey side/rear extension. Erection of a detached double garage at front.	44, Careless Green, Stourbridge, DY9 8XE
P13/0179	Granted	17/04/2013	Conversion of existing office premises into 5 no flats including demolition of extensions	Dudley MBC, 8, Ednam Road, Dudley, West Midlands, DY1 1HL
P13/0181	Granted	11/04/2013	Demolition of existing garages and laundry, erection of new entrance lobby	Brettell Lane Day Centre, King William Street, Amblecote, Stourbridge, DY8 4ES
P13/0183	Granted	04/04/2013	Single storey side and rear extension and creation of rear patio area (following	17, Carol Crescent, Halesowen, B63 3RS
P13/0186	Granted	04/04/2013	First floor side extension	28, Woodman Close, Halesowen, B63 3eEH
P13/0188	Granted	08/04/2013	Single storey rear extension	7, Hope Street, Wordsley, Stourbridge, DY8 5QB
P13/0191	Refused	08/04/2013	Single storey rear extension and new access ramp with handrail	26, Meadow Road, Dudley, DY1 3HA
P13/0193	Granted	04/04/2013	Display of illuminated free standing sign.	Dudley College, The Broadway, Dudley, West Midlands, DY1 4AS
P13/0194	Granted	08/04/2013	Creation of external gym and associated hard surface area.	Russells Hall Hospital, Pensnett Road, Dudley, West Midlands, DY1 2HQ

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P13/0198	Granted	09/04/2013	Single storey front, side and rear extension	12 A, Linden Avenue, Halesowen, West Midlands, B62 9EL
P13/0199	Granted	08/04/2013	Single storey front, side and rear extensions. New front porch and canopy. (Res	5, Edge Hill Drive, Sedgley, Dudley, DY3 3RH
P13/0200	Granted	10/04/2013	Erection of greenhouse in rear garden.	4, Cherry Orchard Crescent, Halesowen, B63 3RU
P13/0201	Refused	10/04/2013	Raise roof to create habitable room with front and rear dormers and two storey side extension	98, Beachcroft Road, Wall Heath, Kingswinford, DY6 0HU
P13/0202	Granted	10/04/2013	Telecommunications development comprising of replacement of an existing 17.5m mast pole	Grass Verge, Birmingham New Road, Town Gate Retail Park, Dudley, West Midlands
P13/0204	Granted	11/04/2013	Erection of car port at rear of property (retrospective) (resubmission of withdrawn application)	241, Stourbridge Road, Halesowen, B63 3QU
P13/0208	Refused	11/04/2013	Conversion of roof space into habitable room with front and rear dormers.	56, Dibdale Street, Dudley, DY1 2RZ
P13/0209	Granted	04/04/2013	Single storey rear extension	7, Leys Close, Pedmore, Stourbridge, DY9 0UL
P13/0211	Granted	12/04/2013	Approval of reserved matters for the erection of a two storey building for 6 no. apartments	Broadway Inn, The Broadway, Stourbridge, DY8 3HX
P13/0217	Refused	18/04/2013	Single storey front/side extension and two storey side extension.	118, High Street, Wollaston, Stourbridge, DY8 4NY
P13/0221	Granted	16/04/2013	Change of use from retail (A1) to Non-residential institution (D1)	Sure Start Lye Office, 3, High Street, Lye, Stourbridge, DY9 8JT
P13/0227	Refused	16/04/2013	Proposed two storey side extension	47, Gower Road, Halesowen, B62 9BX
P13/0230	Refused	18/04/2013	First floor side/rear extension (resubmission of approved planning application P12/0934	86, Shenstone Valley Road, Halesowen, B62 9TE

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P13/0233	Granted	17/04/2013	Single storey side extension. Regrade existing land levels and erect new retaining wall	31, Fox Hills Park, Netherton, Dudley, DY2 0JQ
P13/0235	Granted	18/04/2013	Two storey rear extension (following demolition of existing conservatory).	5, Ploughmans Walk, Wall Heath, Kingswinford, DY6 0DX
P13/0237	Granted	17/04/2013	Single storey rear extension (following demolition of existing conservatory)	13, Skidmore Road, Bilston, West Midlands, WV14 8SE
P13/0239	Granted	17/04/2013	One and two storey side extension (following demolition of existing conservatory)	21, High Arcal Road, Lower Gornal, Dudley, DY3 3AP
P13/0242	Granted	17/04/2013	First floor rear extension	107, Attingham Drive, Dudley, DY1 3HY
P13/0248	Refused	19/04/2013	Erection of 1.8 m high boundary fencing (retrospective)	35, Chichester Avenue, Netherton, Dudley, DY2 9JJ
P13/0249	Granted	10/04/2013	Single storey rear extension	9, Cheyne Walk, Brierley Hill, DY5 3NX
P13/0253	Granted	04/04/2013	Single storey side extension and new front canopy	102, Ham Lane, Pedmore, Stourbridge, DY9 0UH
P13/0254	Granted	18/04/2013	Removal of condition 11 of planning approval P12/068	King Edward VI College, Lower High Street, Stourbridge, West Midlands, DY8 1TD
P13/0257	Granted	22/04/2013	Single storey side/rear extension (following demolition of existing utility room)	126, Tipton Road, Woodsetton, Dudley, DY3 1BY
P13/0259	Granted	18/04/2013	Dropped kerb	73, Leys Road, Brockmoor, Brierley Hill, DY5 3UL
P13/0265	Granted	19/04/2013	Single storey side extension	110, New Road, Netherton, Dudley, DY2 9AY
P13/0266	Granted	04/04/2013	Rear conservatory extension	81, Narrow Lane, Halesowen, B62 9PB
P13/0270	Granted	18/04/2013	Single storey rear extension and first floor side extension over existing garage	1, Coney Green, Stourbridge, DY8 1LA
P13/0272	Granted	18/04/2013	Renewal of planning permission P10/0034 for change of use to indoor go-karting operation (sui-generis) (resubmission of withdrawn planning	Wheelspin Karting, Dudley Road, Halesowen, B63 3NR

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			application P12/1459)	
P13/0273	Granted	16/04/2013	Rear conservatory	Six Ashes, Leasowes Lane, Halesowen, B62 8QE
P13/0274	Granted	18/04/2013	Bedroom and shower room extension for disabled person.	22, Burns Close, Stourbridge, West Midlands, DY8 4NF
P13/0284	Granted	18/04/2013	Crown reduce 1 Sycamore tree by 2 metres back from corner of 1 Western Avenue.	Brook Meadow, 82, Gospel End Road, Sedgley, Dudley, DY3 3YU
P13/0288	Granted	16/04/2013	New front porch	28, Huntlands Road, Halesowen, B63 4LY
P13/0294	Granted	19/04/2013	Change of use of existing vacant office building (B1) to A1/A2 use.	177-181, High Street, Brierley Hill, DY5 3BU
P13/0297	Granted	18/04/2013	Display of various illuminated and non-illuminated signs	Lloyds Tsb Bank, 7, High Street, Lye, Stourbridge, Dy9 8ju
P13/0298	Granted	22/04/2013	Two storey side/rear extension and pitched roof over existing flat roof of front	21, St. Marks Road, Dudley, West Midlands, DY2 7SB
P13/0304	Granted	04/04/2013	Substitution of house type of plot 10 to allow for relocation of patio door. Red	Land off Long Lane, Halesowen, West Midlands
P13/0307	Granted	09/04/2013	Single storey side extension with pitched roof and front canopy	42, Bourne Avenue, Halesowen, West Midlands, B62 0ds
P13/0309	Granted	10/04/2013	Single storey rear extension.	27, Redlake Drive, Pedmore, Stourbridge, Dy9 0rx
P13/0311	Granted	18/04/2013	Single storey front, side and rear extension and two storey side extension	22, Poplar Road, Norton, Stourbridge, Dy8 3bd
P13/0364	Granted	17/04/2013	Pollard 1 Lime Tree	19, The Croft, Sedgley, Dudley, Dy3 1lz
P13/0399	Granted	16/04/2013	Pollard 1 Poplar tree to 10 metres.	Land at the rear of the old British Legion legion site, Bundle Hill, Halesowen, West Midlands, B63 4AR

Appendix B -Appeals Decided in the period 02.04.13 – 22.04.13. All the appeals were dealt with by way of written representation, 2 were dismissed and 1 allowed. The appeal made after Committee’s decision to refuse application P12/1016 was allowed and is highlighted in bold. Copies of the appeals are available on the link shown below

<u>Application Number</u>	<u>Application Type</u>	<u>Location/Address & Appeal Reference</u>	<u>Appeal Decision Date</u>	<u>Appeal Type</u>	<u>Appeal Decision</u>
P12/0748	Advertisement	Red Lion Public House, Lawnswood Road, Wordsley, Stourbridge, DY8 5PH APP/C4615/H/12/2184368	22/04/2013	<i>Delegated Decision</i>	Dismissed
P12/1016	Full Planning Permission	13d, Vale Street, Amblecote, Stourbridge, DY8 4ET APP/C4615/A/11/2167208	04/04/2013	Committee Overturn	Allowed
P12/1611	Full Planning Permission	25, Haden Hill Road, Halesowen, Halesowen, B63 3NE APP/C4615/D/13/2193000	08/04/2013	<i>Delegated Decision</i>	Dismissed

In order to search for any of the full details of any of the appeal decisions enter the following link. You will need go into the search field and type in appeal reference as provided above.

Please use the following link: <http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>