

DEVELOPMENT CONTROL COMMITTEE

Monday, 28th November, 2005 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Stanley (Chairman)
Councillor James (Vice-Chairman)
Councillors G Davies and Donegan

OFFICERS:-

Mrs H Brookes-Martin, Mr C Cheetham, Mr G Isherwood, Mr J Pattinson,
(Directorate of the Urban Environment), Mrs G Breakwell and Mrs L Jury
(Directorate of Law and Property).

72

MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 7th
November, 2005, be approved as a correct record and signed.

73

DECLARATIONS OF INTEREST

No member made a declaration of interest in accordance with the Members'
Code of Conduct.

74

APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of
Councillors Banks, Mrs Collins, Debney, Southall and Mrs Wilson.

75

RECEIPT OF PETITIONS

It was reported that a petition had been submitted from approximately 580
residents from the Pensnett area, opposing the proposed erection of a 10m
high replacement lamp post antenna support column and associated
equipment cabinets - planning application no. P05/2297 - High Street
(opposite Tennyson Street, Pensnett). The petition would be referred to the
Director of the Urban Environment.

SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday 24th November 2005 by members of the Development Control (Site Visiting) Working Party.

RESOLVED

- (i) Plan no. P05/1213 – Land adjacent to 20 Birch Terrace, Netherton - Erection of two semi-detached one bedroom retirement bungalows with associated parking and new access to highway

Decision: That consideration of this application be deferred to enable officers to discuss with the applicant the submission of an amended scheme to show a single bungalow on the site and for the submission of additional drawings to clearly show the boundaries of the site in relation to existing fence lines and trees.

- (ii) Plan no. P05/1976 – 15 Bowling Green Road, Stourbridge - Single storey building in rear garden to provide accommodation for disabled relative

Decision: Refused, for the following reason:-

The main dwelling is in a run of properties with relatively long rear gardens, in a traditional arrangement, fronting the highway. There is no backland development in evidence, such as that which is proposed. The siting of the proposed bungalow would, therefore, appear incongruous within the design context, and at odds with the character of the area. It is, therefore, contrary to Policy DD4 of the Unitary Development Plan.

CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13 (c) it was

RESOLVED

That due to the inclement weather conditions, the following planning applications and agenda item be considered, as now indicated: P05/2272, P05/2297, P05/1972, Agenda Item No. 7, P05/2110, P05/2304, P05/1973, P05/2001, P05/2128, P05/1028, prior to the remaining agenda items.

PLANNING APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. The persons referred to were in attendance at the meeting and spoke on the planning applications indicated:

- (i) Plan no. P05/1972 - 36 Stream Park, Kingswinford - Erection of two-storey side and rear extension to P04/0107) - Mr Knight, an objector and Mr Maguire, the applicant.
- (ii) Plan no. P05/1973 - AJ's Fish and Chips, 180 High Street, Lye - Extension of opening hours (variation of condition 3 of 93/51967). (Re-submission of P05/1403) - Mr Mahmood, the applicant.
- (iii) Plan no. P05/2272 - 66 Belle Vue, Wordsley - Outline application for two dwellings (all matters reserved for subsequent approval) - Miss Harris, an objector.
- (iv) Plan no. P05/2297 - High Street (opposite Tennyson Street), Pensnett - Prior approval under Part 24 of the Town and Country Planning Act to erect a 10m high replacement lamp post antenna support column and associated equipment cabinets - Miss Shepherd, an objector and Councillor M Davis, spoke in objection to the application.

RESOLVED

That the plans and applications be dealt with as follows:

- (i) Plan no. P05/2272 - 66 Belle Vue, Wordsley - Outline application for two dwellings (all matters reserved for subsequent approval).

Decision: That consideration of this application be deferred to enable officers to undertake further discussion with the applicant concerning siting.

- (ii) Plan no. P05/2297 - High Street (opposite Tennyson Street), Dudley - Prior approval under Part 24 of the Town and Country Planning Act to erect a 10m high replacement lamp post antenna support column and associated equipment cabinets.

Decision: That approval be required and refused, for the following reason:-

The siting of the proposed equipment would adversely impact on the amenity of occupants of nearby dwellings, by reason of the perceived health risk fears from being in such close proximity to the equipment. Therefore, the proposed development is contrary to the relevant advice given in PPG8.

- (iii) Plan no. P05/1972 - 36 Stream Park, Kingswinford - Erection of two-storey side and rear extension to P04/0107).

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of Committee, to address concerns raised by members.

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WEDNESBURY TO BRIERLEY HILL EXTENSION - MIDLAND METRO

A report of the Director of the Urban Environment was submitted on the design guide for the Construction of the Metro Line from Wednesbury to Brierley Hill.

A presentation was made by Mr Peter Adams, Assistant Director Metro Implementation from Centro, on the proposed design standards.

RESOLVED

That the information contained in the report submitted and the presentation given in respect of the design guide for the Construction of the Metro Line from Wednesbury to Brierley Hill, be noted and supported.

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PLANNING APPLICATIONS TO DEVELOP

That the remaining plans and applications be dealt with as follows:-

- (i) Plan no. P05/2110 - 250 Northway, Dudley - Two storey side and rear extensions.

Decision: Approved, subject to conditions numbered 1 to 3 (inclusive) as set out in the report of the Director of the Urban Environment.

- (ii) Plan no. P05/2304 - Land at Brook Street and Bird Street, Lower Gornal - Erection of 8 no. three bedroom dwellings with integral garages and associated access (re-submission of refused application P05/1432).

Decision: Approved, subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act 1990, for a contribution towards off-site public open space, conditions numbered 1 to 6 (inclusive), an additional condition numbered 7, as follows together with the subsequent re-numbering of former conditions 7 to 9 as conditions 8 to 10:

7. Prior to the commencement of development, details of the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include timing of implementation relative to the occupation of the dwellings hereby approved.

- (iii) Plan no. P05/1973 - AJ's Fish and Chips, 180 High Street, Lye - Extension of opening hours (variation of condition no. 3 of 93/51967) Re-submission of P05/1403).
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Decision: Refused, for the reason as set out in the report of the Director of the Urban Environment.

- (iv) Plan no. P05/2001 - 11 Church Street, Brierley Hill - Outline application for residential development (all matters reserved).
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Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of Committee, to address concerns raised by members regarding the listed building.

- (v) Plan no. P05/2128 - 100A Milking Bank - Single storey side extension to create enlarged shop area, enlarged dispensary, disabled WC, consulting room and store (re-submission of withdrawn application P05/1347).
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Councillor Ms Craigie, Ward Councillor, spoke in objection to the application.

Decision: That consideration of this application be deferred pending a site visit to be held prior to the next meeting of the Committee, to address concerns raised by members and the Ward Member in respect of the impact of the proposed development on the local amenities and security.

- (vi) Plan no. P05/1028 - Tipton Street Methodist Church, Tipton Street, Dudley - Listed building consent for refurbishment and conversion of the building to office accommodation with associated car parking, necessitating the removal of rear extension, pews, pulpit, organ, staircases and the relocation of two headstones and two tombs within the graveyard.
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Decision: Approved, subject to conditions numbered 1 to 5 (inclusive) as set out in the report of the Director of the Urban Environment.

81 ENFORCEMENT SERVICE BETWEEN 1ST APRIL 2005 AND 30TH
SEPTEMBER 2005

A report of the Director of the Urban Environment was submitted on the work undertaken by the Planning Enforcement Team over the period April 2005 - September 2005.

RESOLVED

That the information contained in the report submitted, regarding the work undertaken by the Planning Enforcement Team over the period April 2005 - September 2005, be noted.

82 APPLICATION P05/0857 - ERECTION OF 63 DWELLINGS ON LAND OFF
WRENS NEST ROAD, DUDLEY

A report of the Director of the Urban Environment was submitted on the modification of a Section 106 Agreement to include a sum for education provision.

RESOLVED

That the information contained in the report submitted, in respect of the variation of a Section 106 Agreement of the Town and Country Planning Act 1990 to include the payment of a sum of £90,000 for education provision, be noted and approved.

The meeting ended at 8.40pm.

CHAIRMAN