

DEVELOPMENT CONTROL COMMITTEE

Monday 29th October, 2012 at 6.00 pm
in Committee Room 2, The Council House, Dudley

Due to technical difficulties the meeting adjourned at 6.05 pm and reconvened at 6.40 pm.

PRESENT:-

Councillor Harris (Chair)
Councillor Roberts (Vice-Chair)
Councillors Casey, Herbert, S Turner, Mrs Westwood, C Wilson, Wright and Zada

OFFICERS:-

Mr J Butler, Mrs A Roberts, Mr G Collings and Mr P Reed (all Directorate of the Urban Environment), Mrs G Breakwell and Mrs M Johal (Directorate of Corporate Resources)

40 **DECLARATIONS OF INTEREST**

Declarations of disclosable pecuniary and non-pecuniary interests, in accordance with the Members' Code of Conduct, were made by the following:-

Councillor Wright declared non-pecuniary interests in Planning Application Nos P12/1127 (16 Moden Hill, Sedgley) and P12/1016 (13D Vale Street, Amblecote) in view of reference made to the West Midlands Fire Service, as he is a member of the West Midlands Fire and Rescue Authority.

Councillor Wright declared a non-pecuniary interest in Planning Application No P12/0866 (1 Chapel Walk, Lower Gornal, Dudley) as he personally knew the applicant and objector and that both had lobbied him and he indicated that he would leave the room during consideration of this item.

Councillor Roberts declared a disclosable pecuniary interest in Planning Application No P12/0612 (The Holly Hall School, Scotts Green Close, Dudley) as she is a Governor of the Academy and she withdrew from the meeting during consideration of this item.

41 **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 9th October, 2012, be approved as a correct record and signed.

42 SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 25th October, 2012, by Members of the Committee.

- (i) Plan No P12/0696 – 68 Park Road West, Wollaston, Stourbridge – Single Storey rear Extension (Retrospective)

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (ii) Plan No P12/0977 – Land Adjacent to 15 Judge Road, Quarry Bank, Brierley Hill – Erection of 1 No Dwelling

Decision: Approved, subject to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted.

43 PLANS AND APPLICATIONS TO DEVELOP

A report of the Director of the Urban Environment was submitted on the following plans and applications to develop. In addition, where appropriate, details of the plans and applications were displayed by electronic means at the meeting. In addition to the report submitted, notes known as Pre-Committee notes had also been circulated updating certain of the information given in the report submitted. The content of the notes were taken into account in respect of the applications to which they referred.

The following persons referred to had indicated that they wished to speak at the meeting and, unless indicated, spoke on the planning applications:-

Plan No P12/0612 – Mr K Hampton – an objector and Mr S Louth– an agent

Plan No P12/1145 – Mr R Harris on behalf of Mr and Mrs Clayton – objectors and Mr Broadstock – an agent/applicant

- (i) Plan No P12/0612 – The Holly Hall School, Scotts Green Close, Dudley – Erection of Sports Hall and Astro Turf Pitch with Fence Surround and Ancillary Floodlighting

(Having previously declared a disclosable pecuniary interest in this item Councillor Roberts withdrew from the meeting during its consideration and rejoined the meeting following its consideration).

Decision: Approved, subject to conditions, numbered 1 to 5 and 7 to 12 (inclusive), as set out in the report submitted, together with a revised condition, numbered 6 and additional condition, numbered 13, as follows:-

6. The 6 No 10 metre high floodlights and astro turf sports pitch hereby approved shall be used only between 08.00 and 21.00 hours Mondays to Saturdays, 09.00 until 18.00 hours on Sundays and Public Holidays.
13. Landscaping and tree planting within the school site which forms a buffer to residential properties to the north and west of the site shall be retained for the life of the development.

- (ii) Plan No P12/1145 – 7 Sunningdale, Halesowen – First Floor Side/Rear Extension (Resubmission of Withdrawn Application P11/1572)
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Decision: Approved, subject to conditions, numbered 1 to 3 (inclusive), as set out in the report.

- (iii) Plan No P12/0432 – 43 Worcester Street, Stourbridge – Erection of a 4 Storey Building Providing 10 No Flats and Associated Works
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Decision: Approved, subject to conditions, numbered 1 to 12 (inclusive), as set out in the report submitted, together with an additional condition, numbered 13, as follows:-

13. Landscaping details to be submitted for approval prior to the start of the development and thereafter implemented in accordance with the approved plan.

- (iv) Plan No P12/0858 – 9 Penns Wood Close, Sedgley, Dudley – Fell 1 Oak Tree
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Decision: Approved, subject to the condition, numbered 1, as set out in the report submitted.

- (v) Plan No P12/0860 – St Andrews House, Quarry Park Road, Stourbridge – Fell 1 Oak Tree. Reduce and Reshape 1 Sycamore Tree by 30% and Remove Deadwood. Crown Lift, Reshape and Remove Deadwood from 1 Larch Tree
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Decision:

- (1) That Part A of the application to fell 1 Oak Tree be refused for the reason as set out in the report submitted.

- (2) That Part B of the application to crown reduce 1 Sycamore Tree by 30% and crown lift 1 Larch Tree be approved subject to the condition, numbered 1, as set out in the report submitted.
- (vi) Plan No P12/0964 – 24 Brockmoor Close, Oldswinford, Stourbridge – Fell 1 Silver Birch Tree
- Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.
- (vii) Plan No P12/1028 – 8 The Lawley, Hayley Green, Halesowen – Fell 1 No Oak Tree
- Decision: Approved, subject to the condition, numbered 1, as set out in the report submitted.
- (viii) Plan No P12/1030 – 10 Bracken Park Gardens, Wordsley, Stourbridge – Fell 1 No Poplar Tree
- Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.
- (ix) Plan No P12/1090 – 6 Oldfield Drive, Oldswinford, Stourbridge – Fell and Replace 1 Hornbeam Tree
- Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.
- (x) Plan No P12/1127 – 16 Moden Hill, Sedgley, Dudley – Erection of 1 No Dwelling
- During the consideration of this application Members expressed concern that there were no significant changes to the previous application that had been submitted and it was considered that the development was still overbearing, too big for the area and would be detrimental to neighbouring properties.
- Decision: Refused, for the reason that the proposed dwelling, due to its position and scale, would result in a form of development that would be detrimental to the amenities of the occupiers of neighbouring properties through the overlooking of private rear gardens and the overbearing nature of the structure. The proposal would therefore be contrary to Policy DD4 of the Saved UDP.
- (xi) Plan No P12/1164 – Holy Trinity Church (Church of England), Vicarage Road, Amblecote – Fell 17 Fir Trees
- Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (xii) Plan No P12/1180 – Blowers Green Recycling Centre (Site B Office and Blowers Green Road, Dudley – Second Storey Mess Room with External Staircase and Handrail)

Decision: Approved, subject to conditions, numbered 1 and 2, as set out in the report submitted.

- (xiii) Plan No P12/0866 – 1 Chapel Walk, Lower Gornal – Part A: New 1.8M High Boundary Wall (Retrospective). Part B: Two Storey Front/Side Extension (Part Retrospective)

(Having previously declared a non-pecuniary interest in this item Councillor Wright withdrew from the meeting during its consideration and rejoined the meeting following its consideration).

At this juncture Councillor S Turner indicated that he had also been involved with the application and withdrew from the meeting during its consideration and rejoined the meeting following its consideration.

Decision:

- (1) That Part A of the application for the new 1.8m high boundary wall be refused for the reason as set out in the report submitted.
- (2) That Part B of the application for a two-storey front/side extension be approved.

- (xiv) Plan No P12/1016 – 13D Vale Street, Amblecote, Stourbridge – Erection of 2 No Dwellings

During the consideration of this application Members expressed concern that the development would result in an uncharacteristic intrusion into the existing pattern of development in the area and that increased use of the access drive and the general level of activity associated with the dwellings would result in noise and general disturbance to occupants of adjoining properties. Concerns were also expressed about the current parking problems and the vehicular access to Vale Street given its close proximity to busy roads.

Decision: Refused, for the following reasons:-

1. The proposed form of development would result in an uncharacteristic intrusion into the existing linear pattern of development in the area due to its siting at the rear of dwellings, and would appear cramped and unsatisfactorily integrated into the existing residential layout. As such the development would result in an over intensification of the site which would have an adverse impact on the character of the area contrary to Saved Policies DD1 (Urban Design) and DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan and the advice given in the New Housing Development Supplementary Planning Document.
2. The increased use of the access drive by vehicles and the general level of activity associated with the proposed dwellings would cause harm through increased noise and general disturbance to the living conditions of occupants of adjacent properties. In addition there would be a loss of outlook to the occupiers of nearby dwellings because the proposed development would be in a 'backland' situation and in close proximity to their rear gardens. As a result the development would be detrimental to existing residential amenity, contrary to Saved Policy DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan.
3. The development would have a detrimental effect upon highway safety in the vicinity of the site by virtue of the site having insufficient space within the development for vehicles to manoeuvre in and out of the proposed parking spaces, which would result in additional vehicle parking occurring upon the busy narrow through road of Vale Street where on street parking is prominent. As a result the development would fail to accord with Saved Policy DD4 (Development in Residential Areas) of the Dudley Unitary Development Plan.

(xv) Plan No P12/1040 – 49 Chase Road, Brierley Hill – Erection of 4 No Dwellings

During the consideration of this application Members expressed concerns that highway safety would be compromised as the road was very narrow, there was insufficient parking and that cars reversed from driveways onto a busy road and that the development was not appropriate for the area.

Decision: Refused, for the following reasons:-

1. The proposed development with a design of cramped appearance and siting in close proximity to the junction with Coopers Bank Road constitutes an overdevelopment of the site that is likely to attract car parking near to a busy road junction, which would have an adverse impact on character, amenity and highway safety of the locality, contrary to Policy ENV 2 of the BCCS and saved policies DD1 and DD4 of the UDP and Housing SPD.
2. The proposed development fails to provide adequate or appropriate rear amenity space for Plot 1, which is a family dwelling house, to the detriment of amenity for the future occupiers. As such the development would be contrary to saved policy DD4 of the UDP and New Housing SPD.

(xvi) Plan No P12/1095 – 5 Woodthorpe Drive, Pedmore, Stourbridge – First Floor Side Extension and Replace Existing Flat Roof on Garage with Pitched Roof

Decision: Approved, subject to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.

(xvii) Plan No P12/1201 – 19 Ridge Road, Kingswinford – Single Storey Side/Rear Extension and Formation of Habitable Rooms in Roofspace

Decision: Approved, subject to conditions, numbered 1 to 4 (inclusive), as set out in the report submitted.

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PROPOSAL TO APPLY AN ARTICLE 4(1) DIRECTION TO THE SITE AT ASSET STORAGE LTD, PLATTS ROAD, AMBLECOTE, STOURBRIDGE TO WITHDRAW PERMITTED DEVELOPMENT RIGHTS GIVEN UNDER PART 31, CLASS A (ANY BUILDING OPERATION CONSISTING THE DEMOLITION OF A BUILDING) OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 (AS AMENDED)

A report of the Director of the Urban Environment was submitted on the making of a Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 so that the demolition of the Heritage Assets at Platts Road, Amblecote, comprising buildings of the former Platts Glassworks comes under the control of the Local Planning Authority.

RESOLVED

That the Cabinet Member for Economic Regeneration be recommended to approve:-

- (1) The making of an Immediate Direction Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), which would remove permitted development rights under Schedule 2, Part 31, Class A (Any building operation consisting the demolition of a building) to the site at Asset Storage Ltd, Platts Road, Amblecote, Stourbridge and that the Direction be served with immediate effect, in accordance with Article 6 of that Order;
- (2) To serve notice of the Direction in accordance with Article 5 of the Order referred to;
- (3) To submit a copy of the Direction to the Secretary of State in accordance with Article 6(2) of the Order referred to.

The meeting ended at 9.05 pm.

CHAIR