

DEVELOPMENT CONTROL COMMITTEE

Monday 26th September 2005 at 6.00 pm
in Committee Room 2, The Council House, Dudley

PRESENT:-

Councillor Stanley (Chairman)
Councillor James (Vice-Chairman)
Councillors Mrs Collins, G H Davies, Debney, Donegan, Southall, A Turner,
and Mrs Wilson.

OFFICERS:-

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

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MINUTES

RESOLVED

That, the minutes of the meeting of the Committee held on 5th
September 2005, be approved as a correct record and signed.

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DECLARATIONS OF INTEREST

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

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APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Banks.

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SUBSTITUTE MEMBERS

It was reported that Councillor A Turner had been appointed to serve as
substitute for Councillor Banks for this meeting only.

SITE VISITS

Consideration was given to the following planning applications in respect of which a site visit had been made on Thursday, 22nd September, 2005, by the Development Control (Site Visiting) Working Party.

RESOLVED

That the site visit applications be dealt with as follows:-

- (i) Plan no. P05/1245 – 117-120 Wolverhampton Street, Dudley – Change of use to church resource and worship centre (D1).

Decision: That consideration of the above application be deferred to obtain further information on parking including the potential for providing more parking spaces on the site and for a Travel Plan to be submitted and assessed.

- (ii) Plan no. P05/1516 – Land to rear of 17-41 Dudley Road, Sedgley – Outline application for residential development with means of access (resubmission of refused application P03/1186).

Decision: Refused, for the following reason:

Insufficient evidence has been provided to demonstrate fully that the land to the rear of the site constitutes previously developed land as defined in PPG3 Housing, and therefore the principle of development on this part of the site cannot be accepted without full supporting information addressing all the relevant criteria contained within the UDP Policies H1 and H3.

CHANGE IN ORDER OF BUSINESS

Pursuant to Council Procedure Rule 13 (c) it was

RESOLVED

That the order of business at Agenda Item No. 6 be varied in order to enable planning applications numbered P05/1580, P05/1747 and P05/1751 to be dealt with prior to the remaining planning applications in Agenda Item No.6.

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) P05/1580 – 178-181 High Street, Lye – Variation of condition number 1 of planning approval P00/50680 to extend the time period for development to commence for a further one year – Mr Rhead, an objector and Mr Gardener, on behalf of the applicant.
- (ii) P05/1747 – Land off Alison Drive, Norton – Amendment to approved application P04/1302 (revision to internal site boundaries and type and site of bungalow) – Mr Abbotts and Councillor Adams (Ward Councillor) spoke in objection to this application.
- (iii) P05/1751 – 6 Birchgate, Stourbridge – 1 and 2 storey side/rear extension to create enlarged kitchen and WC with bedroom and bathroom over (retrospective) – Mr G O’Keeffe, the applicant.

RESOLVED

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

- (i) Plan no. P05/1580 – 178-181 High Street, Lye – Variation of condition no. 1 of planning approval P00/50680 to extend the time period for development to commence for a further 1 year.

Decision: Approved, subject to conditions numbered 1–8 (inclusive), as set out in the report of the Director of the Urban Environment.

- (ii) Plan no. P05/1747 – Land off, Alison Drive, Norton – Amendment to approved application P04/1302 (revision to internal site boundaries and type and siting of bungalow).

Decision:

- (1) Refused, for the following reason:

That the application represents over-intensification of the site, contrary to Policy 85.

- (2) That enforcement action be authorised.

- (iii) Plan no. P05/1751 – 6 Birchgate, Stourbridge – One and two-storey side/rear extension to create enlarged kitchen and WC with bedroom and bathroom over (retrospective).

Decision:

- (1) Refused for the reason as set out in the report of the Director of the Urban Environment.
- (2) That enforcement action be authorised to remove the authorised extensions within three months.

- (iv) Plan no. P03/2393 – M H Berlyn Co. Ltd, Dudley Road, Halesowen – Erection of 18 flats and 5 houses.

Decision: Refused, for the following reason:

That the application represents over-intensification of the site, be out of character with the street scene, and noise, contrary to Policy 39, 85, PPG24.

- (v) Plan no. P05/0740 – Black Horse Public House, 19 Banners Lane, Halesowen – Demolition of existing building and erection of 11 no. 2 bedroom apartments.

(Councillor Mrs Dunn, Ward Councillor, spoke in objection to this application).

Decision: Refused, for the following reason:

That the application represents over-intensification of the site and would be out of character with the street scene, contrary to Policy 39, 85, DD4.

- (vi) Plan no. P05/0842 – Land fronting School Street, Wolverhampton Street and Stafford Street, Dudley – Residential development (outline) (all matters reserved for subsequent approval).

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 regarding the potential noise from nearby industrial premises and parking.

- (vii) Plan no. P05/1191 – Sedgley Tile and Mill View, Clarence Street, Upper Gornal – Demolition of existing buildings and erection of 10 no. 2 bedroom apartments with associated parking and new access to highway (resubmission of refused application P04/2680).

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 regarding the density and the height of the proposed application with regard to the existing street-scene.

- (viii) Plan no. P05/1393 – Unit 2 Oldbush Trading Centre, Oldbush Street, Brierley Hill – Change of use to taxi booking office (sui generis) (retrospective).

Decision:

- (1) Refused, for the reason as set out in the report of the Director of the Urban Environment.
- (2) That enforcement action be authorised to cease use as a taxi booking office within three months from the service of notice.

- (ix) Plan no. P05/1791 – Stourbridge Road/High Street/Earls Way roundabout, Halesowen – Part A: Display 1 no. non-illuminated sign on the southern part of highway island (marked no. 2 on location plan). Part B: Display 2 no. non-illuminated signs on the eastern and western part of highway island (marked no's. 1 and 3 on location plan). (Resubmission of refused application P05/1281).

(Councillor Mrs Dunn, Ward Councillor, spoke in objection to this application).

Decision: Refused on the grounds of visual amenity and public safety.

- (x) Plan no. P05/1795 – Dudley Road/Mucklow Hill/Bromsgrove Street roundabout, Halesowen – Part A: Display 2 no. non-illuminated signs on the northern and southern part of highway island (marked no's. 1 and 3 on location plan). Part B: Display 2 no. non-illuminated signs on the eastern and western part of highway island (marked no's. 2 and 4 on location plan). (Resubmission of refused application P05/1280).

(Councillor Mrs Dunn, Ward Councillor, spoke in objection to this application).

Decision: Refused, on the grounds of visual amenity and public safety.

- (xi) Plan no. P05/1796 – Queensway/Hagley Road roundabout, Halesowen – Part A: Display 2 no. non-illuminated sign on the northern and western part of highway island (marked no's. 1 and 3 on location plan). Part B: Display 1 no. non-illuminated signs on the southern part of highway island (marked no. 2 on location plan). (Resubmission of refused application P05/1282).

(Councillor Mrs Dunn, Ward Councillor, spoke in objection to this application).

Decision: Refused, on the grounds of visual amenity and public safety.

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ENFORCEMENT REPORT

A joint report of the Director of Law and Property and the Director of the Urban Environment was submitted on proposed enforcement action.

RESOLVED

That the Local Planning Authority, having regard to all the provisions of the adopted Dudley Unitary Development Plan and all other material considerations before them authorises enforcement action to remove the unauthorised metal staircase from the premises known as 116 Fenton Street, Brierley Hill, within one month from the service of notice.

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LAND BETWEEN 16 AND 18 BIRCH TREE GARDENS, QUARRY BANK

A report of the Director of the Urban Environment was submitted on a complaint regarding the erection of a dwelling between 16 and 18 Birch Tree Gardens, Quarry Bank.

RESOLVED

That information contained in the report submitted on a complaint regarding the erection of a dwelling between 16 and 18 Birch Tree Gardens, Quarry Bank, be noted, and the decision not to pursue formal enforcement action, be approved.

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EXCLUSION OF THE PUBLIC

That under Section 100A(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined on Schedule 12A of that Act in particular, the paragraph of Part 1 of the Schedule indicated below:

Agenda Item no.	Description of Item	Relevant paragraph of Part 1 of Schedule 12A
11	Conservation Area Proposals	13

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CONSERVATION AREA PROPOSALS

A report of the Director of the Urban Environment was submitted on t Conservation Area Character Appraisal.

RESOLVED

- (1) That the Cabinet Member for Economic Regeneration be recommended to agree to the revision and extension of the Conservation Area (as delineated by the boundaries on Figure 1 appended to the report submitted) and that the Director of the Urban Environment be authorised to take all necessary steps to implement this proposal.
- (2) That a Conservation Area Character Appraisal be undertaken as referred to in paragraph 9 of the report submitted, and that a draft Character Appraisal document be submitted for consideration to a future meeting of this Committee with a view to its' approval for public consultation.

The meeting ended at 9.25pm.

CHAIRMAN